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ABSTRACT

This document reports the committee of the conference's recommendation that the U.S. House of Representatives recede from its disagreement to the U.S. Senate amendment on the Carl D. Perkins Vocational and Applied Technology Education Act amendments of 1990. The first section provides materials the Senate would have inserted in the amendments. The second section contains a substitute amendment that is a substitute for the House bill and the Senate amendment. (CML)

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101st Congress
2d Session
HOUSE OF REPRESENTATIVES
Report
101-660

THE CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION ACT AMENDMENTS OF 1990

August 2, 1990.—Ordered to be printed

Mr. Hawkins, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 7]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 7) to amend the Carl D. Perkins Vocational Education Act to extend the authorities contained in such act through the fiscal year 1995, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

SECTION 1. SHORT TITLE.

(a) This Act.—This Act may be cited as the "Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990".

(b) Amendments.—Section 1 of the Carl D. Perkins Vocational Education Act (in this Act referred to as the "Act") (20 U.S.C. 2301 note) is amended to read as follows:

"SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

"(a) Short Title.—This Act may be cited as the 'Carl D. Perkins Vocational and Applied Technology Education Act'.

"(b) Table of Contents.—The table of contents for this Act is as follows:

"TABLE OF CONTENTS

"Sec. 1. Short title; table of contents.
"Sec. 2. Statement of purpose.
"Sec. 3. Authorization of appropriations.

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"Sec. 521. *Definitions.*".

SEC. 2. STATEMENT OF PURPOSE.

Section 2 of the Act (20 U.S.C. 2301) is amended to read as follows:

"SEC. 2. STATEMENT OF PURPOSE.

"It is the purpose of this Act to make the United States more competitive in the world economy by developing more fully the academic and occupational skills of all segments of the population. This purpose will principally be achieved through concentrating resources on improving educational programs leading to academic and occupa-

tional skill competencies needed to work in a technologically advanced society.".

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 3 of the Act (20 U.S.C. 2302) is amended to read as follows:

"SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

"(a) IN GENERAL.—There are authorized to be appropriated $1,600,000,000 for the fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, and 1995 to carry out the provisions of titles I, II, III, and IV of this Act.

"(b) TITLE I.—(1) Of the amounts remaining from amounts made available under subsection (a) after providing amounts for the programs described in paragraph (2) and subsections (d) and (f)—

> *"(A) 1.5 percent shall be available to carry out the provisions of section 103, relating to Indian and Hawaiian natives programs; and*
>
> *"(B) .2 percent shall be available to carry out the provisions of section 101A, relating to the territories.*

"(2) Of the amounts made available in the fiscal year 1991 under subsection (a), not more than $9,000,000 shall be available to carry out the provisions of section 112, relating to State councils on vocational education.

"(c) BASIC PROGRAMS.—Of the amounts remaining from amounts made available under subsection (a) after providing amounts for the programs described in subsections (b)(2), (d), and (f), 95.8 percent shall be available to carry out the provisions of title II, relating to basic programs.

"(d) SPECIAL PROGRAMS.—(1) Subject to paragraph (2), of the amounts made available under subsection (a) for the fiscal year 1991—

> *"(A) not more than $15,000,000 shall be available to carry out the provisions of part A of title III, relating to State assistance for vocational education support programs by community-based organizations;*
>
> *"(B) not more than $38,500,000 shall be available to carry out the provisions of part B of title III, relating to consumer and homemaking education;*
>
> *"(C) not more than $20,000,000 shall be available to carry out the provisions of part C of title III, relating to comprehensive career guidance and counseling programs;*
>
> *"(D) not more than $10,000,000 shall be available to carry out the provisions of part D of title III, relating to business-labor-education partnerships;*
>
> *"(E) not more than $125,000,000 shall be available to carry out the provisions of part E of title III, relating to tech-prep education;*
>
> *"(F) not more than $100,000,000 shall be available to carry out the provisions of part F of title III, relating to supplementary State grants for facilities and equipment and other program improvement activities;*
>
> *"(G) not more than $10,000,000 shall be available to carry out the provisions of part G of title III, of which—*

"(i) an amount equal to 75 percent of the amounts made available to carry out such part shall be available to carry out the provisions of subpart 1 of such part, relating to community education employment centers; and

"(ii) an amount equal to 25 percent of the amounts made available to carry out such part shall be available to carry out the provisions of subpart 2 of such part, relating to vocational education lighthouse schools; and

"(H) not more than $4,000,000 shall be available to carry out the provisions of part H of title III, relating to tribally controlled postsecondary vocational institutions.

"(2) Notwithstanding the provisions of paragraph (1), amounts shall be available to carry out the provisions of part C, D, or G of title III in any fiscal year only to the extent that the amount available for such fiscal year to carry out the provisions of title II exceeds $1,000,000,000.

"(e) NATIONAL PROGRAMS.—For each fiscal year, of the amounts remaining from amounts available pursuant to subsection (a) after providing amounts for the programs described in subsections (b)(2), (d), and (f), 2.5 percent of such remainder shall be available to carry out the provisions of title IV (other than parts D and E), relating to national programs.

"(f) OTHER NATIONAL PROGRAMS.—(1) Of amounts made available under subsection (a) for the fiscal year 1991, not more than $350,000 shall be available to carry out the provisions of part D of title IV, relating to the National Council on Vocational Education.

"(2) Of amounts made available under subsection (a) for the fiscal year 1991, not more than $10,000,000 shall be available to carry out the provisions of part E of title IV, relating to bilingual vocational training programs.".

SEC. 4. INTERDEPARTMENTAL TASK FORCE ON COORDINATION OF VOCATIONAL EDUCATION AND RELATED PROGRAMS.

(a) ESTABLISHMENT.—There is established the Interdepartmental Task Force on Vocational Education and Related Programs (in this section referred to as the "Task Force").

(b) MEMBERSHIP.—The Task Force shall consist of the Secretary of Education, the Secretary of Labor, the Secretary of Health and Human Services, and such other personnel of the Department of Education, the Department of Labor, and the Department of Health and Human Services as the Secretaries consider appropriate.

(c) DUTIES.—The Task Force shall—

(1) examine principal data required for programs under the Adult Education Act, the Carl D. Perkins Vocational and Applied Technology Education Act, the Job Training Partnership Act, the Rehabilitation Act of 1973, and the Wagner-Peyser Act;

(2) examine possible common objectives, definitions, measures, and standards for such programs; and

(3) consider integration of research and development conducted with Federal assistance in the area of vocational education and related areas, including areas of emerging technologies.

(d) REPORT TO CONGRESS.—The Task Force shall, every 2 years, submit a report on its findings to the appropriate committees of the Congress.

SEC. 5. JOINT FUNDING.

(a) JOB TRAINING PARTNERSHIP ACT.—(1) Section 123 of the Job Training Partnership Act (29 U.S.C. 1533) is amended by adding at the end the following new subsection:

"(e)(1) Sums available for this section pursuant to section 202(b)(1) may be used to provide additional funds under an applicable program if—

"(A) such program otherwise meets the requirements of this Act and the requirements of the applicable program;

"(B) such program serves the same individuals that are served under this section;

"(C) such program provides services in a coordinated manner with services provided under this section; and

"(D) such funds would be used to supplement, and not supplant, funds provided from non-Federal sources.

"(2) For purposes of this subsection, the term 'applicable program' means any program under any of the following provisions of law:

"(A) The Carl D. Perkins Vocational and Applied Technology Education Act.

"(B) The Wagner-Peyser Act.".

(2) Section 204 of the Job Training Partnership Act (29 U.S.C. 1604) is amended—

(A) by inserting "(a)" after "SEC. 204."; and

(B) by adding at the end the following new subsection:

"(b)(1) Funds provided under this title may be used to provide additional funds under an applicable program if—

"(A) such program otherwise meets the requirements of this Act and the requirements of the applicable program;

"(B) such program serves the same individuals that are served under this title;

"(C) such program provides services in a coordinated manner with services provided under this title; and

"(D) such funds would be used to supplement, and not supplant, funds provided from non-Federal sources.

"(2) For purposes of this subsection, the term 'applicable program' means any program under any of the following provisions of law:

"(A) The Carl D. Perkins Vocational and Applied Technology Education Act.

"(B) The Wagner-Peyser Act.".

(3) Section 314 of the Job Training Partnership Act (29 U.S.C. 1661c) is amended by adding at the end the following new subsection:

"(g) JOINT FUNDING.—(1) Funds allotted under section 302 may be used to provide additional funds under an applicable program if—

"(A) such program otherwise meets the requirements of this Act and the requirements of the applicable program;

"(B) such program serves the same individuals that are served under this title;

"(C) such program provides services in a coordinated manner with services provided under this title; and

"(D) such funds would be used to supplement, and not supplant, funds provided from non-Federal sources.

"(2) For purposes of this subsection, the term 'applicable program' means any program under any of the following provisions of law:

"(A) The Carl D. Perkins Vocational and Applied Technology Education Act.

"(B) The Wagner-Peyser Act.".

(b) WAGNER-PEYSER ACT.—Section 7 of the Wagner-Peyser Act (29 U.S.C. 49f) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

"(c)(1) Funds made available to States under this section may be used to provide additional funds under an applicable program if—

"(A) such program otherwise meets the requirements of this Act and the requirements of the applicable program;

"(B) such program serves the same individuals that are served under this Act;

"(C) such program provides services in a coordinated manner with services provided under this Act; and

"(D) such funds would be used to supplement, and not supplant, funds provided from non-Federal sources.

"(2) For purposes of this subsection, the term 'applicable program' means any program under any of the following provisions of law:

"(A) The Carl D. Perkins Vocational and Applied Technology Education Act.

"(B) Section 123, title II, and title III of the Job Training Partnership Act.".

TITLE I—VOCATIONAL EDUCATION ASSISTANCE TO THE STATES

PART A—ALLOTMENT AND ALLOCATION

SEC. 101. ALLOTMENT.

(a) IN GENERAL.—Section 101 of the Act (20 U.S.C. 2311) is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

"(1) In each fiscal year, of the amounts remaining from amounts made available under section 3(a) after providing amounts for the programs described in subsections (b)(2), (d), and (f) of section 3, the Secretary shall reserve—

"(A) 2.5 percent for the activities described in title IV (other than parts D and E);

"(B) 1.5 percent for the purpose of carrying out section 103, of which—

"(i) 1.25 percent shall be for the purpose of carrying out section 103(b); and

"(ii) .25 percent shall be for the purpose of carrying out section 103(c); and

"(C) .2 percent for the purpose of carrying out section 101A.";

(B) in paragraph (3)—

(i) in clause (i) of subparagraph (B)—

(I) by striking "subparagraph (A)" and inserting "subparagraphs (A), (C), and (D)"; and

(II) by striking "(D), or (E)" each place it appears and inserting "or (D)";

(ii) by amending subparagraph (C) to read as follows:

"(C) In the case of the Virgin Islands, the minimum allotment for all programs under this Act shall not be less than $200,000.".

(iii) by adding at the end the following:

"(D)(i) Subject to clause (iii), no State shall, by reason of subparagraph (B), be allotted more than the lesser of—

"(I) 150 percent of the amount that the State received in the preceding fiscal year; and

"(II) the amount calculated under clause (ii).

"(ii) The amount calculated under this clause shall be determined by multiplying—

"(I) the number of individuals in the State counted under paragraph (2) in the preceding fiscal year; by

"(II) 150 percent of the national average per pupil payment made with funds available under this section for that year.

"(iii) Notwithstanding the provisions of clauses (i) and (ii), no State shall be allotted an amount under this section in any fiscal year that is less than the amount such State is allotted in the fiscal year 1991.";

(2) in subparagraph (B) of subsection (c)(1), by striking ", Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands" each place such phrase appears and inserting "and the Virgin Islands"; and

(3) by adding at the end the following:

"(d) For the purpose of this section, the term 'State' means any 1 of the 50 States, the Commonwealth of Puerto Rico, the District of Columbia, and the Virgin Islands.".

(b) THE TERRITORIES.—Part A of title I of the Act (20 U.S.C. 2311 et seq.) is amended by inserting after section 101 the following:

"SEC. 101A. THE TERRITORIES.

"(a) THE TERRITORIES.—From funds reserved pursuant to section 101(a)(1)(C), the Secretary shall—

"(1) make a grant in the amount of $500,000 to Guam; and

"(2) make a grant in the amount of $190,000 to each of American Samoa, the Commonwealth of the Northern Mariana Islands, and Palau (until the Compact of Free Association with Palau takes effect pursuant to section 101(a) of Public Law 99-658).

"(b) REMAINDER.—Subject to the provisions of subsection (a), the Secretary shall make a grant of the remainder of funds reserved pursuant to section 101(a)(1)(C) to the Center for the Advancement of Pacific Education, Honolulu, Hawaii, or its successor entity as the Pacific regional educational laboratory to make grants for vocational education and training in Guam, American Samoa, Palau, the Commonwealth of the Northern Marianas, the Federated States of Micronesia, and the Republic of the Marshall Islands, for the purpose of providing direct educational services, including—

"(1) teacher and counselor training and retraining;

"(2) curriculum development; and

"(3) improving vocational education and training programs in secondary schools and institutions of higher education, or improving cooperative programs involving both secondary schools and institutions of higher education.

"(c) LIMITATION.—The Center for the Advancement of Pacific Education may use not more than 5 percent of the funds received pursuant to subsection (b) for administrative costs.".

SEC. 102. WITHIN STATE ALLOCATION.

Section 102 of the Act (20 U.S.C. 2312) is amended to read as follows:

"SEC. 102. WITHIN STATE ALLOCATION.

"(a) PROGRAMS OTHER THAN STATE GRANTS.—From the allotment made to each State from funds appropriated under section 3(a) for each fiscal year—

"(1) an amount equal to at least 75 percent of the allotment shall be available only for basic programs under part C of title II;

"(2) an amount equal to 10.5 percent of the allotment shall be available only for the program for single parents, displaced homemakers, and single pregnant women described in section 221 and the sex equity program described in section 222, of which—

"(A) not less than 7 percent of such allotment shall be reserved for the program for single parents, displaced homemakers, and single pregnant women; and

"(B) not less than 3 percent of such allotment shall be reserved for the sex equity program;

"(3) an amount equal to not more than 8.5 percent of the allotment shall be available only for State programs and activities described in section 201;

"(4) the State may use for administration of the State plan an amount that does not exceed 5 percent of the allotment or $250,000, whichever is greater, of which—

"(A) not less than $60,000 shall be available only for purposes of carrying out the provisions of section 111(b)(1); and

"(B) remaining amounts may be used for the costs of—

"(i) developing the State plan;

"(ii) reviewing local applications;

"(iii) monitoring and evaluating program effectiveness;

"(iv) providing technical assistance; and

"(v) assuring compliance with all applicable Federal laws, including required services and activities for individuals who are members of special populations; and

"(5) an amount equal to 1 percent of the allotment shall be available only for programs for criminal offenders under section 225.

"(b) MATCHING REQUIREMENT.—Each State receiving financial assistance under this Act shall match, from non-Federal sources and on a dollar-for-dollar basis, the funds reserved pursuant to subsection (a)(4).

"(c) HOLD HARMLESS PROVISION.—(1) Except as provided in paragraph (2) and notwithstanding the provisions of subsection (a), each

State shall reserve for the program for single parents, displaced homemakers, and single pregnant women under section 221, the sex equity program under section 222, and the program for criminal offenders under section 225, respectively, an amount that is not less than the amount such State reserved for each such program in the fiscal year 1990.

"(2) In any year in which a State receives an amount for purposes of carrying out programs under title II that is less than the amount such State received for such purposes in the fiscal year 1990, such State shall ratably reduce the amounts reserved under paragraph (1).".

SEC. 103. INDIAN AND HAWAIIAN NATIVES PROGRAMS.

Paragraph (1) of section 103(b) of the Act (20 U.S.C. 2313) is amended to read as follows:

"(1)(A) From the funds reserved pursuant to section 101(a)(1)(B)(i), the Secretary is directed—

> *"(i) upon the request of any Indian tribe which is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination Act or under the Act of April 16, 1934; or*
>
> *"(ii) upon an application received from a Bureau funded school (as such term is defined in section 1139(3) of the Education Amendments of 1978) offering secondary programs filed at such time and under such conditions as the Secretary may prescribe,*

to make grants to or enter into contracts with any tribal organization of any such Indian tribe or to make a grant to such Bureau funded school, as appropriate, to plan, conduct, and administer programs or portions of programs authorized by and consistent with the purposes of this Act, except that—

> *"(I) such grants or contracts with any tribal organization shall be subject to the terms and conditions of section 102 of the Indian Self-Determination Act and shall be conducted in accordance with the provisions of sections 4, 5, and 6 of the Act of April 16, 1934, which are relevant to the programs administered under this sentence; and*
>
> *"(II) such grants to Bureau funded schools shall not be subject to the requirements of the Indian Self-Determination Act or the Act of April 16, 1934.*

"(B)(i) Any tribal organization or school eligible to receive assistance under this paragraph may apply individually or as part of a consortium with another such tribal organization or school.

"(ii) In the case of a Bureau funded school, the minimum amount of a grant made under this section shall be $35,000.

"(C) The Secretary may not place upon grants made or contracts entered into under this paragraph any restrictions relating to programs or outcomes other than restrictions which apply to grants made to or contracts entered into with States under section 101. The Secretary, in making grants under this paragraph, shall give special consideration to—

> *"(i) grants which involve, coordinate with, or encourage tribal economic development plans; and*

"(ii) applications from tribally controlled community colleges which—

"(I) are accredited or are candidates for accreditation by a nationally recognized accreditation organization as an institution of postsecondary vocational education; or

"(II) operate vocational education programs that are accredited or are candidates for accreditation by a nationally recognized accreditation organization and issue certificates for completion of vocational education programs.".

PART B—STATE ORGANIZATIONAL AND PLANNING RESPONSIBILITIES

SEC. 111. STATE ADMINISTRATION.

Section 111 of the Act (20 U.S.C. 2321) is amended—

(1) in subsection (a)(1)(A), by striking "113(b)(9)" and inserting "113(b)(8), section 116, and section 117";

(2) in subsection (a)(1)(C), by inserting ", including business, industry, and labor," before "involved";

(3) in subsection (b)(1)—

(A) in subparagraph (A)—

(i) by striking "201(f)" and inserting "221"; and

(ii) by striking "201(g)" and inserting 222";

(B) by redesignating subparagraphs (C), (D), (E), (F), and (G), as subparagraphs (D), (E), (F), (G), and (H), respectively;

(C) by striking "and" at the end of subparagraph (F) (as redesignated by subparagraph (B) of this paragraph);

(D) by striking the period at the end of subparagraph (G) (as redesignated by subparagraph (B) of this paragraph) and inserting a semicolon; and

(E) by inserting after subparagraph (B) the following:

"(C) reviewing and commenting upon, and making recommendations concerning, the plans of local educational agencies, area vocational education schools, intermediate educational agencies, and postsecondary educational institutions to ensure that the needs of women and men for training in nontraditional jobs are met;"; and

(F) by adding at the end the following:

"(I) developing an annual plan for the use of all funds available for such programs;

"(J) managing the distribution of funds pursuant to section 223;

"(K) monitoring the use of funds distributed to recipients under such programs; and

"(L) evaluating the effectiveness of programs and activities supported by such funds.";

(4) in subsection (b)(3) by inserting "from funds allocated under section 102(a)(4)(A)" before "expend";

(5) by striking subsection (e);

(6) by redesignating subsections (c) and (d) as subsections (f) and (g), respectively; and

(7) by inserting the following new subsections after subsection (b):

"(c) Review of Plans With Respect to Students With Handicaps.—(1) Any State desiring to participate in the programs authorized by this Act shall designate or assign the head of the State office responsible for administering part B of the Education of the Handicapped Act to review the implementation of the provisions of this Act as such provisions relate to students with handicaps by reviewing all or a representative sample of plans of eligible recipients to—

"(A) assure that individuals with handicaps are receiving vocational educational services;

"(B) assure that the plans of the eligible recipient provide assurances of compliance with the provisions of section 504 of the Rehabilitation Act of 1973 and the Education of Handicapped Act regarding equal access to programs; and

"(C) assure that the eligible recipients have—

"(i) identified the number of students with handicaps enrolled in vocational programs operated by the eligible recipient;

"(ii) assessed the vocational needs of the students identified pursuant to clause (i); and

"(iii) developed an adequate plan to provide supplementary services sufficient to meet the needs of such students.

"(2) For purposes of this subsection and subsections (d) and (e), the term 'State' means any 1 of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

"(d) Needs of Economically Disadvantaged Students.—Any State desiring to participate in the programs authorized by this Act shall assign the head of the State office or other appropriate individual responsible for coordinating services under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 to review all or a representative sample of plans of the eligible recipients to ensure that the number of economically disadvantaged students have been identified, and that the needs of such students are being met as outlined by such plans.

"(e) Needs of Students of Limited English Proficiency.—Any State desiring to participate in the programs authorized by this Act shall designate or assign the head of the State office or other appropriate individual responsible for administering programs for students of limited English proficiency to review all or a representative sample of the plans of the eligible recipients to ensure the numbers of students of limited English proficiency have been identified and that the needs of such students for participation in vocational education programs are being met as outlined by such plans.".

SEC. 112. STATE COUNCIL ON VOCATIONAL EDUCATION.

Section 112 of the Act (20 U.S.C. 2322) is amended—

(1) in subsection (a)(1)(A), by inserting "trade organizations," after "industry,";

(2) in subsection (a)(2), by striking the period at the end and inserting "and may include members of vocational student organizations and school board members.";

(3) in subsection (a), by inserting the following new sentence at the end of the matter following paragraph (2): "No employee of the State board shall serve on the State council.";

(4) in subsection (d)(2), by—

(A) striking "advise" and inserting "make recommendations to";

(B) redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(C) inserting the following new subparagraph (A) before subparagraph (B) (as redesignated by subparagraph (B) of this paragraph):

"(A) the State plan;";

(5) in subsection (d)(8), by—

(A) striking "the individuals described in section 201(b)" and inserting "individuals who are members of special populations"; and

(B) striking "and" at the end;

(6) by striking subsection (d)(9) and inserting the following new paragraphs:

"(9) analyze and review corrections education programs; and

"(10)(A) evaluate at least once every 2 years—

"(i) the extent to which vocational education, employment, and training programs in the State represent a consistent, integrated, and coordinated approach to meeting the economic needs of the State;

"(ii) the vocational education program delivery system assisted under this Act, and the job training program delivery system assisted under the Job Training Partnership Act, in terms of such delivery systems' adequacy and effectiveness in achieving the purposes of each of the 2 Acts; and

"(iii) make recommendations to the State board on the adequacy and effectiveness of the coordination that takes place between vocational education and the Job Training Partnership Act;

"(B) comment on the adequacy or inadequacy of State action in implementing the State plan;

"(C) make recommendations to the State board on ways to create greater incentives for joint planning and collaboration between the vocational education system and the job training system at the State and local levels; and

"(D) advise the Governor, the State board, the State job training coordinating council, the Secretary, and the Secretary of Labor regarding such evaluation, findings, and recommendations.";

(7) in subsection (e) by inserting the following new sentences at the end: "Each State council may submit a statement to the Secretary reviewing and commenting upon the State plan. Such statement shall be sent to the Secretary with the State plan.";

(8) by amending subsection (f)(1)(A) to read as follows:

"(f)(1)(A) Except as provided in subparagraph (B), from the sums appropriated pursuant to section 3(c), the Secretary shall first make grants of $150,000 to each State council. From the remainder of such sums the Secretary shall allot to each State council an amount in accordance with the method of allotment set forth in section 101(a)(2) of this Act, provided that—

"(i) no State council shall receive more than $250,000 for each fiscal year;

"(ii) no State council shall receive less than $150,000 for each fiscal year; and

"(iii) no State council shall receive less than such State council was allotted in the fiscal year 1990;"; and

(9) by amending subsection (f)(1)(B) to read as follows:

"(B) From the sums appropriated pursuant to section 3(c) for each fiscal year, the Secretary shall make grants of—

"(i) $60,000 to each of the State councils of the Virgin Islands and Guam; and

"(ii) $25,000 to each of the State councils of American Samoa, Palau (until the Compact of Free Association with Palau takes effect pursuant to section 101(a) of Public Law 99-658), and the Commonwealth of the Northern Mariana Islands.".

SEC. 113. STATE PLAN.

Section 113 of the Act (20 U.S.C. 2323) is amended to read as follows:

"SEC. 113. STATE PLAN.

"(a) In General.—(1)(A) Any State desiring to receive funds from its allotment for any fiscal year shall submit to the Secretary a State plan for a 3-year period, in the case of the initial plan, and a 2-year period thereafter, together with such annual revisions as the State board determines to be necessary.

"(B) The planning periods required by subparagraph (A) shall be coterminous with the planning program periods required under section 104(a) of the Job Training Partnership Act.

"(2)(A) In formulating the State plan (and amendments thereto), the State board shall meet with and utilize the State council established pursuant to section 112.

"(B) The State board shall conduct public hearings in the State, after appropriate and sufficient notice, for the purpose of affording all segments of the public and interested organizations and groups an opportunity to present their views and make recommendations regarding the State plan. A summary of such recommendations and the State board's response shall be included with the State plan.

"(3) In developing the State plan, the State shall conduct an assessment according to section 116. Such assessment shall include analysis of—

"(A) the relative academic, occupational, training, and retraining needs of secondary, adult, and postsecondary students; and

"(B) the capability of vocational education programs to provide vocational education students, to the extent practicable, with—

"(i) strong experience in and understanding of all aspects of the industry the students are preparing to enter (including planning, management, finances, technical and production skills, underlying principles of technology, labor and community issues, and health, safety, and environmental issues); and

"(ii) strong development and use of problem-solving skills and basic and advanced academic skills (including skills in the areas of mathematics, reading, writing, science, and social studies) in a technological setting.

"(b) CONTENTS.—Each State plan shall—

"(1) describe the procedures and the results of each of the assessments required by section 116(a), including the needs identified by such assessments; and

"(2) describe how uses of funds reflect the needs described in paragraph (1);

"(3) provide assurances that, and where necessary a description of the manner in which, eligible recipients will comply with the requirements of titles I and II, including—

"(A) a description of the manner in which the State will comply with the criteria required for programs for individuals who are members of special populations and a description of the responsiveness of such programs to the special needs of such students;

"(B) assurances that the State board will develop measurable goals and accountability measures for meeting the needs of individuals who are members of special populations;

"(C) assurances that the State board will conduct adequate monitoring of programs conducted by eligible recipients to ensure that programs within the State are meeting the goals described in subparagraph (B); and

"(D) assurances that, to the extent consistent with the number and location of individuals who are members of special populations who are enrolled in private secondary schools, provision is made for the participation of such individuals in the vocational education programs assisted under section 231;

"(4) describe the estimated distribution of funds to corrections educational agencies as prescribed by section 225, the estimated distribution of funds to local educational agencies, area vocational education schools, or intermediate educational agencies as prescribed by section 231, and the planned estimated distribution of funds to eligible institutions as prescribed by section 232;

"(5) provide assurances that the State will comply with the provisions of section 102, including assurances that the State will distribute not less than 75 percent of the funds made available for title II to eligible recipients pursuant to such title;

"(6) describe the criteria the State board will use—

"(A) in approving applications of eligible recipients; and

"(B) for spending the amounts reserved for the State under paragraphs (2) through (5) of section 102(a);

"(7) describe how funds expended for occupationally specific training will be used for occupations in which job openings are projected or available, based on a labor market analysis;

"(8) provide assurances that the State will develop and implement a system of standards for performance and measures of performance for vocational education programs at the State level that meets the requirements of section 115;

"(9) describe, in each State plan submitted after the fiscal year 1991, the progress the State has made in achieving the goals described in previous State plans;

"(10) provide such methods of administration as are necessary for the prompt and efficient administration of programs under this Act;

"(11) provide assurances that, in the use of funds available for single parents, displaced homemakers, and single pregnant women under section 221, the State will emphasize assisting individuals with the greatest financial need, and that the State will give special consideration to displaced homemakers who because of divorce, separation, or the death or disability of a spouse must prepare for paid employment;

"(12) provide assurances that the State will furnish relevant training and vocational education activities to men and women who desire to enter occupations that are not traditionally associated with their sex;

"(13) describe how the State is implementing performance evaluations with eligible recipients as prescribed in section 117;

"(14) describe the methods proposed for the joint planning and coordination of programs carried out under this Act with programs conducted under the Job Training Partnership Act, the Adult Education Act, chapter 1 of title I of the Elementary and Secondary Education Act of 1965, the Education of the Handicapped Act, and the Rehabilitation Act of 1973, and with apprenticeship programs;

"(15) provide assurances that programs of personnel development and curriculum development shall be funded to further the goals identified in the State plan;

"(16) provide assurances that the vocational education needs of identifiable segments of the population in the State that have the highest rates of unemployment have been thoroughly assessed, and that such needs are reflected in and addressed by the State plan;

"(17) provide assurances that the State board will cooperate with the State council in carrying out the Board's duties under this part;

"(18) provide assurances that none of the funds expended under this Act will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization;

"(19) provide assurances that State and local funds will be used in the schools of each local educational agency that are receiving funds under this Act to provide services which, taken as a whole, are at least comparable to services being provided in schools in such agency which are not receiving such funds;

"(20)(A) provide assurances that the State will provide leadership, supervision, and resources for comprehensive career guidance, vocational counseling, and placement programs;

"(B) as a component of the assurances described in subparagraph (A), annually assess and report on the degree to which expenditures aggregated within the State for career guidance and vocational counseling from allotments under title II are not less than such expenditures for such guidance and counseling within the State in the fiscal year 1988;

"(21) provide assurances that the State will provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to eligible recipients under this Act);

"(22) provide procedures by which an area vocational education school, intermediate educational agency, or local educational agency may appeal decisions adverse to its interests with respect to programs assisted under this Act; and

"(23) describe how the State will comply with the provisions of section 118.

"(c) AMENDMENTS TO STATE PLAN.—When changes in program conditions, labor market conditions, funding, or other factors require substantial amendment to an approved State plan, the State board, in consultation with the State council, shall submit amendments to such State plan to the Secretary. Any such amendments shall be subject to review by the State job training coordinating council and the State council.".

SEC. 114. STATE PLAN APPROVAL.

Section 114 of the Act (20 U.S.C. 2324) is amended to read as follows:

"SEC. 114. STATE PLAN APPROVAL.

"(a) IN GENERAL.—The State board shall develop the portion of each State plan relating to the amount and uses of any funds proposed to be reserved for adult education, postsecondary education, tech-prep education, and secondary education after consultation with the State agency responsible for supervision of community colleges, technical institutes, or other 2-year postsecondary institutions primarily engaged in providing postsecondary vocational education, and the State agency responsible for secondary education. The State board shall, in developing such plan, take into consideration the relative training and retraining needs of secondary, adult, and postsecondary students, and shall include the State's rationale for distribution of funds. If a State agency finds that a portion of the final State plan is objectionable, such agency shall file such objections with the State board. The State board shall respond to any objections of such agency in submitting such plan to the Secretary. The Secretary shall consider such comments in reviewing the State plan.

"(b) TIME FOR SUBMISSION; APPROVAL.—Each State plan shall be submitted to the Secretary by May 1 preceding the beginning of the first fiscal year for which such plan is to be in effect. The Secretary shall approve each plan before the expiration of the 60-day period beginning on the date the plan is submitted, if the plan meets the requirements of section 113 and is of sufficient quality to meet the objectives of this Act (including the objective of developing and implementing program evaluations and improvements), and shall subsequently take appropriate actions to monitor the State's compliance with the provisions of its plan and the requirements of this Act on a regular basis. The Secretary shall not finally disapprove a State plan except after giving reasonable notice and an opportunity for a hearing to the State board.".

SEC. 115. STATE AND LOCAL STANDARDS AND MEASURES.

Section 115 of the Act (20 U.S.C. 2325) is amended to read as follows:

"SEC. 115. STATE AND LOCAL STANDARDS AND MEASURES.

"(a) GENERAL AUTHORITY.—Each State board receiving funds under this Act shall develop and implement a statewide system of core standards and measures of performance for secondary and postsecondary vocational education programs. Each State board receiving funds under this Act, before the expiration of the 30-day period beginning on the date of the enactment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990, shall appoint the State Committee of Practitioners (in this section referred to as the 'Committee') as prescribed by section 512(a) after consulting with local school officials representing eligible recipients, and representatives of organized labor, business, superintendents, community-based organizations, private industry councils established under section 102(a) of the Job Training Partnership Act, State councils, parents, special populations, correctional institutions, the administrator appointed under section 111(b)(1), the State administrator of programs assisted under part B of the Education of the Handicapped Act, the State administrator of programs assisted under chapter 1 of title I of the Elementary and Secondary Education Act, the State administrator of programs for students of limited English proficiency, and guidance counselors. Such system shall be developed and implemented before the end of the 2-year period beginning on the date of the enactment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990 and shall apply to all programs assisted under this Act. Eligible recipients may make local modifications to such system based on economic, geographic, or demographic factors, or the characteristics of the population to be served. Such modifications shall conform to the assessment criteria contained in the State plan. The State board shall convene the Committee on a regular basis to review, comment on, and propose revisions to a draft State proposal, which the State board shall develop, for a system of core standards and measures of performance for vocational programs.

"(b) REQUIREMENTS.—Each system developed under subsection (a) shall include—

"(1) measures of learning and competency gains, including student progress in the achievement of basic and more advanced academic skills;

"(2) 1 or more measures of performance, which shall include only—

"(A) competency attainment;

"(B) job or work skill attainment or enhancement including student progress in achieving occupational skills necessary to obtain employment in the field for which the student has been prepared, including occupational skills in the industry the student is preparing to enter;

"(C) retention in school or completion of secondary school or its equivalent; and

"(D) placement into additional training or education, military service, or employment;

"(3) incentives or adjustments that are—

"(A) designed to encourage service to targeted groups or special populations; and

"(B) for each student, consistent with the student's individualized education program developed under section 614(a)(5) of the Education of the Handicapped Act, where appropriate; and

"(4) procedures for using existing resources and methods developed in other programs receiving Federal assistance.

"(c) CONSISTENCY WITH OTHER PROGRAMS.—In developing the standards and measures included in a system developed under subsection (a), the State board shall take into consideration—

"(1) standards and measures developed under job opportunities and basic skills training programs established and operated under a plan approved by the Secretary of Health and Human Services that meets the requirements of section 402(a)(19) of the Social Security Act; and

"(2) standards prescribed by the Secretary of Labor under section 106 of the Job Training Partnership Act.

"(d) INFORMATION PROVIDED BY STATE BOARD.—(1) The Committee shall make recommendations to the State board with respect to modifying standards and measures to be used under this section, based on the information provided under paragraph (2).

"(2) To assist the Committee in formulating recommendations under paragraph (1), the State board shall provide to the Committee information concerning differing types of standards and measurement, including—

"(A) the advantages and disadvantages of each type of standard or measurement;

"(B) instances in which such standards and measures have been effective; and

"(C) instances in which such standards and measures have not been effective.

"(3) In the event that the State board does not accept the Committee's recommendations made as required by paragraph (1), the State board shall set forth in the State plan its reasons for not accepting such recommendations.

"(e) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to the States with respect to the development of systems under subsection (a). In providing such assistance, the Secretary shall utilize existing resources in other Federal agencies.

"(f) REPORT.—The Secretary shall submit a report to the appropriate committees of the Congress not later than the expiration of the 4-year period beginning on the date of the enactment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990. Such report shall include—

"(1) a detailed description of the status of each State's system of standards and measures developed as required by this section;

"(2) an assessment of the validity, predictiveness, and reliability of such standards and measures, unbiased to special populations, in the areas of academic achievement, vocational skill competencies, employment outcomes, and postsecondary continuation and attainment; and

"(3) an evaluation of the comparability of State-developed performance standards across States to establish a core of common indicators.".

SEC. 116. STATE ASSESSMENT AND EVALUATION.

Part B of title I of the Act (20 U.S.C. 2321 et seq.) is amended by adding at the end the following:

"SEC. 116. STATE ASSESSMENT.

"(a) In General.—Each State board receiving assistance under this Act shall conduct an assessment using measurable objective criteria developed by the State board to assess program quality. Such criteria shall be developed in consultation with representatives of the groups described in section 115(a) and shall use information gathered by the National Occupational Information Coordinating Committee and, if appropriate, other information. Each State board shall widely disseminate such criteria. State boards shall develop such criteria no later than the beginning of the 1991–1992 school year. Such criteria shall include such factors as—

"(1) integration of academic and vocational education;

"(2) sequential course of study leading to both academic and occupational competencies;

"(3) increased student work skill attainment and job placement;

"(4) increased linkages between secondary and postsecondary educational institutions;

"(5) instruction and experience, to the extent practicable, in all aspects of the industry the students are preparing to enter;

"(6) the ability of the eligible recipients to meet the needs of special populations with respect to vocational education;

"(7) raising the quality of vocational education programs in schools with high concentrations of poor and low-achieving students;

"(8) the relevance of programs to the workplace and to the occupations for which students are to be trained, and the extent to which such programs reflect a realistic assessment of current and future labor market needs, including needs in areas of emerging technologies;

"(9) the ability of the vocational curriculum, equipment, and instructional materials to meet the demands of the workforce;

"(10) basic and higher order current and future workplace competencies which will reflect the hiring needs of employers; and

"(11) other factors considered appropriate by the State board.

"(b) Deadline for Assessment.—Each State board shall complete the assessment required by subsection (a) before the expiration of the 6-month period beginning on the date of the enactment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990.

"SEC. 117. PROGRAM EVALUATION AND IMPROVEMENT.

"(a) Annual Evaluation.—Each recipient of financial assistance under part C of title II shall annually evaluate the effectiveness of the program conducted with assistance under this Act based on the standards and measures (or modifications thereto) developed as re-

quired by section 115. As part of each such evaluation, each such recipient shall—

"(1) review programs, with the full and informed participation of representatives of individuals who are members of special populations, to—

"(A) identify and adopt strategies to overcome any barriers which are resulting in lower rates of access to vocational education programs or success in such programs for individuals who are members of special populations; and

"(B) evaluate the progress of individuals who are members of special populations in vocational education programs assisted under this Act; and

"(2) evaluate the progress of vocational education programs assisted under this Act in providing vocational education students with strong experience in and understanding of all aspects of the industry the students are preparing to enter.

"(b) LOCAL PROGRAM IMPROVEMENT PLAN.—Beginning not less than 1 year after the implementation of the provisions of section 115, if any recipient described in subsection (a) determines that the recipient is not making substantial progress in meeting the standards and measures developed as required by section 115, such recipient shall develop a plan, in consultation with teachers, parents, and students concerned, for program improvement for the succeeding school year. Such plan shall describe how the recipient will identify and modify programs funded under part C of title II, including—

"(1) a description of vocational education and career development strategies designed to achieve progress in improving the effectiveness of the program conducted with assistance under this Act; and

"(2) if necessary, a description of strategies designed to improve supplementary services provided to individuals who are members of special populations.

"(c) STATE AND LOCAL JOINT PLAN.—If, after 1 year of implementation of the plan described in subsection (b), sufficient progress in meeting the standards and measures developed as required by section 115 has not been made, the State shall work jointly with the recipient and teachers, parents, and students concerned to develop a plan for program improvement. Each such plan shall contain—

"(1) a description of the technical assistance and program activities the State will provide to enhance the performance of the eligible recipient;

"(2) a reasonable timetable to improve the school performance under the plan;

"(3) a description of vocational education strategies designed to improve the performance of the program as measured by the evaluation; and

"(4) if necessary, a description of strategies designed to improve supplementary services provided to individuals who are members of special populations.

"(d) FURTHER ACTION.—The State shall, in conjunction with the eligible recipient, annually review and revise the joint plan developed under subsection (c) in order to improve performance and will continue to do so each consecutive year until the recipient sustains,

for more than 1 year, fulfillment of the State and local standards and measures developed under section 115.

"SEC. 118. CRITERIA FOR SERVICES AND ACTIVITIES FOR INDIVIDUALS WHO ARE MEMBERS OF SPECIAL POPULATIONS.

"(a) ASSURANCES OF EQUAL ACCESS FOR MEMBERS OF SPECIAL POPULATIONS.—The State board, in its State plan, shall provide assurances that—

"(1) individuals who are members of special populations will be provided with equal access to recruitment, enrollment, and placement activities;

"(2) individuals who are members of special populations will be provided with equal access to the full range of vocational education programs available to individuals who are not members of special populations, including occupationally specific courses of study, cooperative education, apprenticeship programs, and, to the extent practicable, comprehensive career guidance and counseling services, and shall not be discriminated against on the basis of their status as members of special populations;

"(3)(A) vocational education programs and activities for individuals with handicaps will be provided in the least restrictive environment in accordance with section 612(5)(B) of the Education of the Handicapped Act and will, whenever appropriate, be included as a component of the individualized education program developed under section 614(a)(5) of such Act;

"(B) students with handicaps who have individualized education programs developed under section 614(a)(5) of the Education of the Handicapped Act shall, with respect to vocational education programs, be afforded the rights and protections guaranteed such students under sections 612, 614, and 615 of such Act;

"(C) students with handicaps who do not have individualized education programs developed under section 614(a)(5) of the Education of the Handicapped Act or who are not eligible to have such a program shall, with respect to vocational education programs, be afforded the rights and protections guaranteed such students under section 504 of the Rehabilitation Act of 1973 and, for the purpose of this Act, such rights and protections shall include making vocational education programs readily accessible to eligible individuals with disabilities through the provision of services described in subsection (c)(3);

"(D) vocational education planning for individuals with handicaps will be coordinated between appropriate representatives of vocational education, special education, and State vocational rehabilitation agencies; and

"(E) the provision of vocational education to each student with handicaps will be monitored to determine if such education is consistent with the individualized education program developed for such student under section 614(a)(5) of the Education of the Handicapped Act, in any case in which such a program exists;

"(4) the provision of vocational education will be monitored to ensure that disadvantaged students and students of limited

English proficiency have access to such education in the most integrated setting possible; and

"(5)(A) the requirements of this Act relating to individuals who are members of special populations—

"(i) will be carried out under the general supervision of individuals in the appropriate State educational agency or State board who are responsible for students who are members of special populations; and

"(ii) will meet education standards of the State educational agency or State board; and

"(B) with respect to students with handicaps, the supervision carried out under subparagraph (A) shall be carried out consistent with and in conjunction with supervision by the State educational agency or State board carried out under section 612(6) of the Education of the Handicapped Act.

"(b) PROVISION OF INFORMATION.—(1) Each local educational agency shall provide to students who are members of special populations and parents of such students at least 1 year before the students enter or are of an appropriate age for the grade level in which vocational education programs are first generally available in the State, but in no event later than the beginning of the ninth grade, information concerning—

"(A) the opportunities available in vocational education;

"(B) the requirements for eligibility for enrollment in such vocational education programs;

"(C) specific courses that are available;

"(D) special services that are available;

"(E) employment opportunities; and

"(F) placement.

"(2) Each eligible institution that receives assistance under title II shall provide the information described in paragraph (1) to each individual who requests information concerning or seeks admission to vocational education programs offered by the institution, and, when appropriate, assist in the preparation of applications relating to such admission.

"(3) The information provided under this subsection shall, to the extent practicable, be in a language and form that the parents and students understand.

"(c) ASSURANCES.—Each eligible recipient that receives assistance under title II shall provide assurances that such eligible recipient shall—

"(1) assist students who are members of special populations to enter vocational education programs, and, with respect to students with handicaps, assist in fulfilling the transitional service requirements of section 626 of the Education of the Handicapped Act;

"(2) assess the special needs of students participating in programs receiving assistance under title II with respect to their successful completion of the vocational education program in the most integrated setting possible;

"(3) provide supplementary services to students who are members of special populations, including, with respect to individuals with handicaps—

"(A) curriculum modification;

"(B) equipment modification;

"(C) classroom modification;

"(D) supportive personnel; and

"(E) instructional aids and devices;

"(4) provide guidance, counseling, and career development activities conducted by professionally trained counselors and teachers who are associated with the provision of such special services; and

"(5) provide counseling and instructional services designed to facilitate the transition from school to post-school employment and career opportunities.

"(d) PARTICIPATORY PLANNING.—The State board shall—

"(1) establish effective procedures, including an expedited appeals procedure, by which parents, students, teachers, and area residents concerned will be able to directly participate in State and local decisions that influence the character of programs under this Act affecting their interests; and

"(2) provide technical assistance and design such procedures to ensure that such individuals are given access to the information needed to use such procedures.".

TITLE II—BASIC STATE GRANTS

SEC. 201. BASIC STATE GRANTS.

Title II of the Act is amended to read as follows:

"TITLE II—BASIC STATE GRANTS FOR VOCATIONAL EDUCATION

"PART A—STATE PROGRAMS

"SEC. 201. STATE PROGRAMS AND STATE LEADERSHIP.

"(a) GENERAL AUTHORITY.—From amounts reserved under section 102(a)(3), each State shall conduct State programs and State leadership activities.

"(b) REQUIRED USES OF FUNDS.—The programs and activities described in subsection (a) shall include—

"(1) professional development activities for vocational teachers and academic teachers working with vocational education students, including corrections educators and counselors, and educators and counselors in community-based organizations, including inservice and preservice training of teachers in state-of-the-art programs and techniques, including integration of vocational and academic curricula, with particular emphasis on inservice and preservice training of minority teachers;

"(2) development, dissemination, and field testing of curricula, especially—

"(A) curricula that integrate vocational and academic methodologies; and

"(B) curricula that provide a coherent sequence of courses through which academic and occupational skills may be measured; and

"(3) assessment of programs conducted with assistance under this Act, including the development of—

"(A) performance standards and measures for such programs; and

"(B) program improvement and accountability with respect to such programs.

"(c) Authorized Activities.—The programs and activities described in subsection (a) may include—

"(1) the promotion of partnerships among business, education (including educational agencies), industry, labor, community-based organizations, or governmental agencies;

"(2) the support for tech-prep education as described in section 344;

"(3) the support of vocational student organizations, especially with respect to efforts to increase minority participation in such organizations;

"(4) leadership and instructional programs in technology education; and

"(5) data collection.

"PART B—OTHER STATE-ADMINISTERED PROGRAMS

"Subpart 1—Programs to Provide Single Parents, Displaced Homemakers, and Single Pregnant Women With Marketable Skills and to Promote the Elimination of Sex Bias

"SEC. 221. PROGRAMS FOR SINGLE PARENTS, DISPLACED HOMEMAKERS, AND SINGLE PREGNANT WOMEN.

"(a) General Authority.—Each State shall use the amount reserved under section 102(a)(2)(A) only to—

"(1) provide, subsidize, reimburse, or pay for preparatory services, including instruction in basic academic and occupational skills, necessary educational materials, and career guidance and counseling services, in preparation for vocational education and training that will furnish single parents, displaced homemakers, and single pregnant women with marketable skills;

"(2) make grants to eligible recipients for expanding preparatory services and vocational education services when the expansion directly increases the eligible recipients' capacity for providing single parents, displaced homemakers, and single pregnant women with marketable skills;

"(3) make grants to community-based organizations for the provision of preparatory and vocational education services to single parents, displaced homemakers, and single pregnant women if the State determines that the community-based organization has demonstrated effectiveness in providing comparable or related services to single parents, displaced homemakers, and single pregnant women, taking into account the demonstrated performance of such an organization in terms of cost,

the quality of training, and the characteristics of the participants;

"(4) make preparatory services and vocational education and training more accessible to single parents, displaced homemakers, and single pregnant women by assisting such individuals with dependent care, transportation services, or special services and supplies, books, and materials, or by organizing and scheduling the programs so that such programs are more accessible; or

"(5) provide information to single parents, displaced homemakers, and single pregnant women to inform such individuals of vocational education programs, related support services, and career counseling.

"(b) SETTINGS.—The programs and services described in subsection (a) may be provided in postsecondary or secondary school settings, including area vocational education schools, that serve single parents, displaced homemakers, and single pregnant women.

"SEC. 222. SEX EQUITY PROGRAMS.

"(a) GENERAL AUTHORITY.—Except as provided in subsection (b), each State shall use the amount reserved under section 102(a)(2)(B) only for—

"(1) programs, services, comprehensive career guidance and counseling, and activities to eliminate sex bias and stereotyping in secondary and postsecondary vocational education;

"(2) preparatory services and vocational education programs, services, and activities for girls and women, aged 14 through 25, designed to enable the participants to support themselves and their families; and

"(3) support services for individuals participating in vocational education programs, services, and activities described in paragraphs (1) and (2), including dependent-care services and transportation.

"(b) WAIVER OF AGE LIMIT.—The administrator appointed under section 111(b)(1) may waive the requirement with respect to age limitations contained in subsection (a)(2) whenever the administrator determines that the waiver is essential to meet the objectives of this section.

"SEC. 223. COMPETITIVE AWARD OF AMOUNTS; EVALUATION OF PROGRAMS.

"The administrator appointed under section 111(b)(1)—

"(1) shall, on a competitive basis, allocate and distribute to eligible recipients or community-based organizations the amounts reserved under section 102(a)(2) for carrying out this subpart, ensuring that each grant made under this subpart is for a program that is of sufficient size, scope, and quality to be effective; and

"(2) shall develop procedures for the collection from eligible recipients, including community-based organizations, that receive funds under this subpart of data appropriate to the individuals served in order to permit evaluation of the effectiveness of such programs as required by section 111(b)(1)(L).

"Subpart 2—Corrections Education

"SEC. 225. PROGRAMS FOR CRIMINAL OFFENDERS.

"(a) Designation of State Corrections Educational Agency.—(1) Each State board shall designate 1 or more State corrections agencies as State corrections educational agencies to administer vocational education programs assisted under this Act for juvenile and adult criminal offenders in correctional institutions in the State, including correctional institutions operated by local authorities.

"(2) Any corrections agency that desires to be designated under paragraph (1) shall submit to the State board a plan for the use of funds provided to such corrections agency from the amounts reserved by the State under section 102(a)(5).

"(b) Duties of State Corrections Educational Agency.—In administering programs receiving funds under this section, each State corrections educational agency designated under subsection (a) shall, in carrying out a vocational education program for criminal offenders—

"(1) give special consideration to—

"(A) providing services to offenders who are completing their sentences and preparing for release; and

"(B) providing grants for the establishment of vocational education programs in correctional institutions that do not have such programs;

"(2) provide vocational education programs for women who are incarcerated;

"(3) improve equipment; and

"(4) in cooperation with eligible recipients, administer and coordinate vocational education services to offenders before and after their release.

"PART C—SECONDARY, POSTSECONDARY, AND ADULT VOCATIONAL EDUCATION PROGRAMS

"Subpart 1—Within-State Allocation

"SEC. 231. DISTRIBUTION OF FUNDS TO SECONDARY SCHOOL PROGRAMS.

"(a) General Rule.—Except as otherwise provided in this section and section 233, each State shall distribute funds available in any fiscal year for secondary school vocational education programs to local educational agencies within the State as follows:

"(1) From 70 percent of such funds, each local educational agency shall be allocated an amount that bears the same relationship to such 70 percent as the amount such local educational agency was allocated under section 1005 of the Elementary and Secondary Education Act of 1965 in the preceding fiscal year bears to the total amount received under such section by local educational agencies in the State in such year.

"(2) From 20 percent of such funds, each local educational agency shall be allocated an amount that bears the same relationship to such 20 percent as the number of students with handicaps who have individualized education programs under *section 614(a)(5) of the Education of the Handicapped Act served by such local educational agency in the preceding fiscal year bears to the total number of such students served by local educational agencies in the State in such year.*

"(3) From 10 percent of such funds, each local educational agency shall be allocated an amount that bears the same relationship to such 10 percent as the number of students enrolled in schools and adults enrolled in training programs under the jurisdiction of such local educational agency in the preceding fiscal year bears to the number of students enrolled in schools and adults enrolled in training programs under the jurisdiction of all local educational agencies in the State in such year.

"(b) Minimum Grant Amount.—(1) Except as provided in paragraph (2), no local educational agency shall be eligible for a grant under this part unless the amount allocated to such agency under subsection (a) is not less than $15,000. A local educational agency may enter into a consortium with other local educational agencies for purposes of meeting the minimum grant requirement of this paragraph.

"(2) The State may waive the application of paragraph (1) in any case in which the local educational agency—

"(A) is located in a rural, sparsely-populated area; and

"(B) demonstrates that the agency is unable to enter into a consortium for purposes of providing services under this part.

"(3) Any amounts which are not allocated by reason of paragraph (1) or paragraph (2) shall be redistributed to local educational agencies that meet the requirements of paragraph (1) or paragraph (2) in accordance with the provisions of this section.

"(c) Limited Jurisdiction Agencies.—(1) In applying the provisions of subsection (a), no State board receiving assistance under this Act shall allocate funds to a local educational agency that serves only elementary schools, but shall distribute such funds to the local or regional educational agency which provides secondary school services to secondary school students in the same attendance area.

"(2) The amount to be allocated under paragraph (1) to a local educational agency that has jurisdiction only over secondary schools shall be determined based on the number of students that entered such secondary schools in the previous year from the elementary schools involved.

"(d) Allocations to Area Vocational Education Schools and Intermediate Educational Agencies.—(1) The State shall distribute funds available for secondary school vocational education programs to the appropriate area vocational education school or intermediate educational agency in any case in which—

"(A) the area vocational education school or intermediate educational agency and the local educational agency concerned—

"(i) have formed or will form a consortium for the purpose of receiving funds under this section; or

"(ii) have entered into or will enter into a cooperative arrangement for such purpose; and

"(B)(i) the area vocational education school or intermediate educational agency serves an approximately equal or greater

proportion of students with handicaps and students who are economically disadvantaged than the proportion of such students attending the secondary schools under the jurisdiction of all of the local educational agencies sending students to the area vocational education school or the intermediate educational agency; or

"(ii) the area vocational education school, intermediate educational agency, or local educational agency demonstrates that it is unable to meet the criterion described in clause (i) due to the lack of interest by students described in clause (i) in attending vocational education programs in that area school or intermediate educational agency.

"(2) If an area vocational education school or intermediate educational agency meets the requirements of paragraph (1), then—

"(A) the amount that would otherwise be distributed to the local educational agency shall be allocated to the area vocational education school, the intermediate educational agency, and the local educational agency based on each school's or entity's relative share of students described in paragraph (1)(B)(i) who are attending vocational education programs that meet the requirements of section 235 (based, if practicable, on the average enrollment for the prior 3 years); or

"(B) such amount may be allocated on the basis of an agreement between the local educational agency and the area vocational education school or intermediate educational agency.

"(3)(A) For the purposes of this subsection, the State may determine the number of economically disadvantaged students attending vocational education programs on the basis of eligibility for any of the following:

"(i) Free or reduced-price meals under the National School Lunch Act.

"(ii) The program for aid to dependent children under part A of title IV of the Social Security Act.

"(iii) Benefits under the Food Stamp Act of 1977.

"(iv) Services under chapter 1 of title I of the Elementary and Secondary Education Act of 1965.

"(v) Other indices of economic status including estimates of such indices, if the State demonstrates to the satisfaction of the Secretary that such indices are more representative of such number.

"(B) If a State elects to use more than 1 factor described in subparagraph (A) for purposes of making the determination described in such subparagraph, the State shall ensure that the data used is not duplicative.

"(4) The State board shall establish an appeals procedure for resolution of any dispute arising between a local educational agency and an area vocational education school or an intermediate educational agency with respect to the allocation procedures described in this section, including the decision of a local educational agency to leave a consortium.

"(5) Notwithstanding the provisions of paragraphs (1), (2), (3), and (4) any local educational agency receiving an allocation which is not sufficient to conduct a program which meets the requirements of section 235(c) is encouraged to—

"(A) form a consortium or enter into a cooperative agreement with an area vocational education school or intermediate educational agency offering programs that meet the requirements of section 235(c) and that are accessible to economically disadvantaged students and students with handicaps served by such local educational agency; and

"(B) transfer such allocation to the area vocational education school or intermediate educational agency.

"SEC. 232. DISTRIBUTION OF FUNDS TO POSTSECONDARY AND ADULT PROGRAMS.

"(a) General Rule.—Except as provided in subsection (b) and section 233, each State shall distribute funds available in any fiscal year for postsecondary and adult vocational education programs to eligible institutions within the State. Each such eligible institution shall receive an amount that bears the same relationship to the amount of funds available under such section as the number of Pell Grant recipients and recipients of assistance from the Bureau of Indian Affairs enrolled in programs meeting the requirements of section 235 offered by such institution in the preceding fiscal year bears to the number of such recipients enrolled in such programs within the State in such year.

"(b) Waiver for More Equitable Distribution.—The Secretary may waive the application of subsection (a) in the case of any State that submits to the Secretary an application for such a waiver that—

"(1) demonstrates that the formula described in subsection (a) does not result in a distribution of funds to the institutions within the State that have the highest numbers of economically disadvantaged individuals and that an alternative formula would result in such a distribution; and

"(2) includes a proposal for an alternative formula that may include criteria relating to the number of individuals attending institutions within the State who—

"(A) receive need-based postsecondary financial aid provided from public funds;

"(B) are members of families participating in the program for aid to families with dependent children under part A of title IV of the Social Security Act;

"(C) are enrolled in postsecondary educational institutions that—

"(i) are funded by the State;

"(ii) do not charge tuition; and

"(iii) serve only economically disadvantaged students;

"(D) are enrolled in programs serving economically disadvantaged adults;

"(E) are participants in programs assisted under the Job Training Partnership act; or

"(F) are recipients of Pell Grants.

"(c) Minimum Grant Amount.—(1) No grant provided to any institution under this section shall be for an amount that is less than $50,000.

"(2) Any amounts which are not allocated by reason of paragraph (1) shall be redistributed to eligible institutions in accordance with the provisions of this section.

"(d) Definition.—For the purposes of this section—

"(1) the term 'eligible institution' means an institution of higher education, a local educational agency serving adults, or an area vocational education school serving adults that offers or will offer a program that meets the requirements of section 235 and seeks to receive assistance under this part;

"(2) the term 'institution of higher education' has the meaning given that term in section 435(b) of the Higher Education Act of 1965; and

"(3) the term 'Pell Grant recipient' means a recipient of financial aid under subpart 1 of part A of title IV of the Higher Education Act of 1965.

"SEC. 233. SPECIAL RULE FOR MINIMAL ALLOCATION.

"(a) General Authority.—In any fiscal year in which a minimal amount is made available by a State for distribution under section 231 or section 232 such State may, notwithstanding the provisions of section 231 or section 232, as appropriate, in order to result in a more equitable distribution of funds for programs serving the highest numbers of economically disadvantaged individuals, distribute such minimal amount—

"(1) on a competitive basis; or

"(2) through any alternative method determined by the State.

"(b) Minimal Amount.—For purposes of this section, the term 'minimal amount' means not more than 15 percent of the total amount made available for distribution under this part.

"SEC. 234. REALLOCATION.

"(a) In General.—In any academic year that a local educational agency or eligible institution does not expend all of the amounts it is allocated for such year under section 231 or section 232, such local educational agency or eligible institution shall return any unexpended amounts to the State to be reallocated under section 231 or section 232, as appropriate.

"(b) Reallocation of Amounts Returned Late in an Academic Year.—In any academic year in which amounts are returned to the State under sections 231 or 232 and the State is unable to reallocate such amounts according to such sections in time for such amounts to be expended in such academic year, the State shall retain such amounts to be distributed in combination with amounts provided under this title for the following academic year.

"Subpart 2—Uses of Funds

"SEC. 235. USES OF FUNDS.

"(a) General Authority.—Each eligible recipient that receives a grant under this part shall use funds provided under such grant to improve vocational education programs, with the full participation of individuals who are members of special populations, at a limited number of sites or with respect to a limited number of program areas.

"(b) Priority.—Each eligible recipient that receives a grant under this part shall give priority for assistance under this part to sites or programs that serve the highest concentrations of individuals who are members of special populations.

"(c) Requirements for Uses of Funds.—(1) Funds made available under a grant under this part shall be used to provide vocational education in programs that—

"(A) are of such size, scope, and quality as to be effective;

"(B) integrate academic and vocational education in such programs through coherent sequences of courses so that students achieve both academic and occupational competencies; and

"(C) provide equitable participation in such programs for the special populations consistent with the assurances and requirements in section 118.

"(2) In carrying out the provisions of paragraph (1), grant funds may be used for activities such as—

"(A) upgrading of curriculum;

"(B) purchase of equipment, including instructional aids;

"(C) inservice training of both vocational instructors and academic instructors working with vocational education students for integrating academic and vocational education;

"(D) guidance and counseling;

"(E) remedial courses;

"(F) adaptation of equipment;

"(G) tech-prep education programs;

"(H) supplementary services designed to meet the needs of special populations;

"(I) a special populations coordinator paid in whole or in part from such funds who shall be a qualified counselor or teacher to ensure that individuals who are members of special populations are receiving adequate services and job skill training;

"(J) apprenticeship programs;

"(K) programs that are strongly tied to economic development efforts in the State;

"(L) programs which train adults and students for all aspects of the occupation, in which job openings are projected or available;

"(M) comprehensive mentor programs in institutions of higher education offering comprehensive programs in teacher preparation, which seek to fully use the skills and work experience of individuals currently or formerly employed in business and industry who are interested in becoming classroom instructors and to meet the need of vocational educators who wish to upgrade their teaching competencies;

"(N) provision of education and training through arrangements with private vocational training institutions, private postsecondary educational institutions, employers, labor organizations, and joint labor-management apprenticeship programs whenever such institutions, employers, labor organizations, or programs can make a significant contribution to obtaining the objectives of the State plan and can provide substantially equivalent training at a lesser cost, or can provide equipment or services not available in public institutions.

"(3) Equipment purchases pursuant to sections 231 and 232, when not being used to carry out the provisions of this Act, may be used for other instructional purposes if—

"(A) the acquisition of the equipment was reasonable and necessary for the purpose of conducting a properly designed project or activity under this title;

"(B) is used after regular school hours or on weekends; and

"(C) such other use is—

"(i) incidental to the use of that equipment under this title;

"(ii) does not interfere with the use of that equipment under this title; and

"(iii) does not add to the cost of using that equipment under this title.

"(4) Each eligible recipient receiving funds under this part shall use no more than 5 percent of such funds for administrative costs.

"Subpart 3—Local Application

"SEC. 240. LOCAL APPLICATION.

"Any eligible recipient desiring financial assistance under this part shall, according to requirements established by the State board, submit to the State board an application, covering the same period as the State plan, for the use of such assistance. The State board shall determine requirements for local applications, except that each such application shall—

"(1) contain a description of the vocational education programs to be funded, including—

"(A) the extent to which the program incorporates each of the elements described in section 235;

"(B) how the eligible recipient will use the funds available under this part and from other resources to improve the program with regard to each use of funds described in section 235;

"(2) contain a report on the number of individuals in each of the special populations;

"(3) contain a description of how the needs of individuals who are members of special populations will be assessed and a description of the planned use of funds to meet such needs;

"(4) describe how access to programs of good quality will be provided to students who are economically disadvantaged (including foster children), students with handicaps, and students of limited English proficiency through affirmative outreach and recruitment efforts;

"(5) provide assurances that the programs funded under this part shall be carried out according to the criteria for programs for each special population;

"(6) describe the program evaluation standards the applicant will use to measure its progress;

"(7) describe methods to be used to coordinate vocational education services with relevant programs conducted under the Job Training Partnership Act, including cooperative arrangements established with private industry councils established under

section 102(a) of such Act, in order to avoid duplication and to expand the range of and accessibility to vocational education services;

"(8) describe methods used to develop vocational educational programs in consultation with parents and students of special populations;

"(9) provide a description of coordination with community-based organizations;

"(10) consider the demonstrated occupational needs of the area in assisting programs funded by this Act;

"(11) provide a description of how the eligible recipient will provide a vocational education program that—

"(A) integrates academic and occupational disciplines so that students participating in the program are able to achieve both academic and occupational competence; and

"(B) offers coherent sequences of courses leading to a job skill;

"(12) provide assurances that the eligible recipient will provide a vocational education program that—

"(A) encourages students through counseling to pursue such coherent sequences of courses;

"(B) assists students who are economically disadvantaged, students of limited English proficiency, and students with handicaps to succeed through supportive services such as counseling, English-language instruction, child care, and special aids;

"(C) is of such size, scope, and quality as to bring about improvement in the quality of education offered by the school; and

"(D) seeks to cooperate with the sex equity program carried out under section 222;

"(13) provide an assurance that the eligible recipient will provide sufficient information to the State to enable the State to comply with the provisions of section 231(d); and

"(14) describe how the eligible recipient will monitor the provision of vocational education to individuals who are members of special populations.".

TITLE III—SPECIAL PROGRAMS

SEC. 301. USE OF FUNDS.

Section 302(b) of the Act (20 U.S.C. 2352(b)) is amended by—

(1) redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(2) inserting the following new paragraph (6) after paragraph (5):

"(6) model programs for school dropouts;".

SEC. 302. CONSUMER AND HOMEMAKING EDUCATION.

Paragraph (2) of section 311 of the Act (20 U.S.C. 2361) is amended by inserting "individual and family health," after "food and nutrition,".

SEC. 303. USE OF FUNDS FROM CONSUMER AND HOMEMAKING EDUCATION GRANTS.

Section 312 of the Act (20 U.S.C. 2362) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "in" and inserting "for residents of"; and

(B) in paragraph (3), by inserting after "encourage" the following: ", in cooperation with the individual appointed under section 111(b)(1),";

(2) in paragraph (1) of subsection (b)—

(A) by striking "managing home and work responsibilities" and inserting "balancing work and family";

(B) by inserting after "family crises" the following: "(including family violence and child abuse)";

(C) by inserting after "parenting skills" the following: "(especially among teenage parents), preventing teenage pregnancy";

(D) by striking "handicapped individuals," and inserting "individuals with handicaps, and members of at-risk populations (including the homeless),"; and

(E) by striking "improving nutrition," and inserting "improving individual, child, and family nutrition and wellness,".

SEC. 304. INFORMATION DISSEMINATION AND LEADERSHIP.

The second sentence of subsection (a) of section 313 of the Act (20 U.S.C. 2363) is amended—

(1) by inserting after "State leadership" the following: "and full time State administrators"; and

(2) by inserting "educational" after "experience and".

SEC. 305. ADULT TRAINING, RETRAINING, AND EMPLOYMENT DEVELOPMENT.

Part C of title III of the Act (20 U.S.C. 2371 et seq.) is repealed.

SEC. 306. COMPREHENSIVE CAREER GUIDANCE AND COUNSELING PROGRAMS.

(a) REDESIGNATIONS.—(1) Title III of the Act (20 U.S.C. 2351 et seq.) is amended by redesignating part D as part C.

(2) Sections 331, 332, and 333 of the Act (20 U.S.C. 2381, 2382, 2383) are redesignated as sections 321, 322, and 323, respectively.

(b) AMENDMENT TO PART HEADING.—The heading for part D of title III of the Act (as redesignated in subsection (a)(1)) is redesignated as the heading to part C.

(c) USE OF FUNDS FROM CAREER GUIDANCE AND COUNSELING GRANTS.—Section 322 of the Act (as redesignated by subsection (a)(2)) (20 U.S.C. 2382) is amended in paragraph (2) of subsection (b), by inserting after "equipment acquisition," the following: "development of career information delivery systems,".

SEC. 307. BUSINESS-LABOR-EDUCATION PARTNERSHIP FOR TRAINING.

(a) REDESIGNATIONS.—(1) Title III of the Act (20 U.S.C. 2351 et seq.) is amended by redesignating part E as part D.

(2) Sections 341, 342, and 343 of the Act (20 U.S.C. 2391, 2392, 2393) are redesignated as sections 331, 332, and 333, respectively.

(b) AMENDMENT TO PART HEADING.—The heading for part D of title III of the Act (as redesignated by subsection (a)(1)) is amended to read as follows:

"PART D—BUSINESS-LABOR-EDUCATION PARTNERSHIP FOR TRAINING".

(c) FINDINGS AND PURPOSE.—Section 331 of the Act (as redesignated by subsection (a)(2)) (20 U.S.C. 2391) is amended to read as follows:

"SEC. 331. FINDINGS AND PURPOSE.

"The Congress finds that—

"(1) there is a need to infuse resources into the schools for the purpose of improving the quality of vocational education; and

"(2) there is a need to fulfill the needs of business for skilled employees who meet certain minimal standards in key occupational areas.".

(d) AUTHORIZATION OF GRANTS.—Section 332 of the Act (as redesignated by subsection (a)(2) (20 U.S.C. 2392) is amended—

(1) by amending subsection (a) to read as follows:

"(a)(1) From amounts authorized under section 3(d)(1)(D) that are made available for this part, the Secretary shall make grants to States to enable States to award grants to partnerships among—

"(A) an area vocational education school, a State agency, a local educational agency, a secondary school funded by the Bureau of Indian Affairs, an institution of higher education, a State corrections educational agency or an adult learning center; and

"(B) business, industry, labor organizations, or apprenticeship programs;

to carry out business-labor-education partnership training programs in accordance with this part.

"(2) The Secretary shall ensure an equitable geographic distribution of grants under this part.";

(2) by amending subsection (b) to read as follows:

"(b) Grants to any State under this part shall be used in accordance with State plans and shall provide incentives for the coordination of programs assisted with funds under this part with related efforts under part E and under the Job Training Partnership Act. Each such State plan shall contain assurances to the Secretary that—

"(1) funds received under this part will be awarded on a competitive basis solely for vocational education programs, including programs—

"(A) to provide apprenticeships and internships in industry;

"(B) to provide new equipment;

"(C) to provide teacher internships or teacher training;

"(D) that bring representatives of business and organized labor into the classroom;

"(E) to increase the access to, and quality of, programs for individuals who are members of special populations;

"(F) to strengthen coordination between vocational education programs, and the labor and skill needs of business and industry;

"(G) to address the economic development needs of the area served by the partnership;

"(H) to provide training and career counseling that will enable workers to retain their jobs;

"(I) to provide training and career counseling that will enable workers to upgrade their jobs; and

"(J) that address the needs of new and emerging industries, particularly industries in high-technology fields.

"(2) the State will give preference to partnerships that coordinate with local chambers of commerce (or the equivalent), local labor organizations, or local economic development plans;

"(3) the State will give priority to programs offered by partnerships that provide job training in areas or skills where there are significant labor shortages;

"(4) the State shall ensure an equitable distribution of assistance under this part between urban and rural areas;

"(5) except as provided in paragraph (6), not less than 50 percent of the aggregate cost of programs and projects assisted under this part will be provided from non-Federal sources, and not less than 50 percent of such non-Federal share will be provided by businesses or labor organizations participating in the partnership; and

"(6) in the event that the partnership includes a small business or labor organization, 40 percent of the aggregate cost of the programs and projects assisted under this part will be provided from non-Federal sources and not less than 50 percent of such non-Federal share will be provided by participating businesses or labor organizations."; and

(3) by adding at the end the following new subsection:

"(d) The Secretary shall prescribe policies for vocational education programs carried out with assistance under this part. Such policies shall include examples of allowable expenses for business-labor-education partnerships.".

SEC. 308. TECH-PREP EDUCATION.

Title III of the Act (20 U.S.C. 2351 et seq.) is amended by adding at the end the following new part:

"PART E—TECH-PREP EDUCATION

"SEC. 341. SHORT TITLE.

"This part may be cited as the 'Tech-Prep Education Act'.

"SEC. 342. FINDINGS AND PURPOSE.

"(a) FINDINGS.—The Congress finds that—

"(1) rapid technological advances and global economic competition demand increased levels of skilled technical education preparation and readiness on the part of youths entering the workforce;

"(2) effective strategies reaching beyond the boundaries of traditional schooling are necessary to provide early and sustained

intervention by parents, teachers, and educational institutions in the lives of students;

“(3) a combination of nontraditional school-to-work technical education programs, using state-of-the-art equipment and appropriate technologies, will reduce the dropout rate for high school students in the United States and will produce youths who are mature, responsible, and motivated to build good lives for themselves;

“(4) the establishment of systematic technical education articulation agreements between secondary schools and postsecondary educational institutions is necessary for providing youths with skills in the liberal and practical arts and in basic academics, including literacy instruction in the English language, and with the intense technical preparation necessary for finding a position in a changing workplace;

“(5) by the year 2000 an estimated 15,000,000 manufacturing jobs will require more advanced technical skills, and an equal number of service jobs will become obsolete;

“(6) more than 50 percent of jobs that are developing will require skills greater than those provided by existing educational programs;

“(7) dropout rates in urban schools are 50 percent or higher, and more than 50 percent of all Hispanic youth drop out of high school; and

“(8) employers in the United States pay an estimated $210,000,000,000 annually for formal and informal training, remediation, and lost productivity as a result of untrained and unprepared youth joining, or attempting to join, the workforce of the United States.

“(b) PURPOSE.—It is the purpose of this part—

“(1) to provide planning and demonstration grants to consortia of local educational agencies and postsecondary educational institutions, for the development and operation of 4-year programs designed to provide a tech-prep education program leading to a 2-year associate degree or a 2-year certificate; and

“(2) to provide, in a systematic manner, strong, comprehensive links between secondary schools and postsecondary educational institutions.

“SEC. 343. PROGRAM AUTHORIZED.

“(a) DISCRETIONARY AMOUNTS.—In any fiscal year in which the amount made available under section 3(d)(1)(E) to carry out the provisions of this part is equal to or less than $50,000,000, the Secretary, in accordance with the provisions of this part which are not inconsistent with this paragraph, shall award grants for tech-prep education programs to consortia of—

“(1) local educational agencies, intermediate educational agencies or area vocational education schools serving secondary school students, or secondary schools funded by the Bureau of Indian Affairs; and

“(2)(A) nonprofit institutions of higher education which offer a 2-year associate degree program, a 2-year certificate program, and which are qualified as institutions of higher education pursuant to section 481(a) of the Higher Education Act of 1965,

including institutions receiving assistance under the Tribally Controlled Community College Assistance Act of 1978, or a 2-year apprenticeship program that follows secondary instruction, if such nonprofit institutions of higher education are not subject to a default management plan required by the Secretary; or

"(B) proprietary institutions of higher education which offer a 2-year associate degree program and which are qualified as institutions of higher education pursuant to section 481(a) of the Higher Education Act of 1965 if such proprietary institutions of higher education are not subject to a default management plan required by the Secretary.

"(b) STATE GRANTS.—(1) In any fiscal year for which the amount made available under section 3(d)(1)(E) to carry out the provisions of this part exceeds $50,000,000, the Secretary shall allot such amount to the States in accordance with the provisions of section 101(a)(2).

"(2) From amounts made available to each State under paragraph (1), the State board, in accordance with the provisions of this part which are not inconsistent with this paragraph, shall award grants on a competitive basis or on the basis of a formula determined by the State board, for tech-prep education programs to consortia described in subsection (a)(1).

"SEC. 344. TECH-PREP EDUCATION PROGRAMS.

"(a) GENERAL AUTHORITY.—Each grant recipient shall use amounts provided under the grant to develop and operate a 4-year tech-prep education program.

"(b) CONTENTS OF PROGRAM.—Any such program shall—

"(1) be carried out under an articulation agreement between the participants in the consortium;

"(2) consist of the 2 years of secondary school preceding graduation and 2 years of higher education, or an apprenticeship program of at least 2 years following secondary instruction, with a common core of required proficiency in mathematics, science, communications, and technologies designed to lead to an associate degree or certificate in a specific career field;

"(3) include the development of tech-prep education program curricula appropriate to the needs of the consortium participants;

"(4) include in-service training for teachers that—

"(A) is designed to train teachers to effectively implement tech-prep education curricula;

"(B) provides for joint training for teachers from all participants in the consortium; and

"(C) may provide such training in weekend, evening, and summer sessions, institutes or workshops;

"(5) include training programs for counselors designed to enable counselors to more effectively—

"(A) recruit students for tech-prep education programs;

"(B) ensure that such students successfully complete such programs; and

"(C) ensure that such students are placed in appropriate employment;

"(6) provide equal access to the full range of technical preparation programs to individuals who are members of special pop-

ulations, including the development of tech-prep education program services appropriate to the needs of such individuals; and

"(7) provide for preparatory services which assist all participants in such programs.

"(c) ADDITIONAL AUTHORIZED ACTIVITIES.—Each such program may—

"(1) provide for the acquisition of tech-prep education program equipment; and

"(2) as part of the program's planning activities, acquire technical assistance from State or local entities that have successfully designed, established and operated tech-prep programs.

"SEC. 345. APPLICATIONS.

"(a) IN GENERAL.—Each consortium that desires to receive a grant under this part shall submit an application to the Secretary or the State board, as appropriate, at such time and in such manner as the Secretary or the State board, as appropriate, shall prescribe.

"(b) THREE-YEAR PLAN.—Each application submitted under this section shall contain a 3-year plan for the development and implementation of activities under this part.

"(c) APPROVAL.—The Secretary or the State board, as appropriate, shall approve applications based on their potential to create an effective tech-prep education program as provided for in section 344.

"(d) SPECIAL CONSIDERATION.—The Secretary or the State board, as appropriate, shall give special consideration to applications which—

"(1) provide for effective employment placement activities or transfer of students to 4-year baccalaureate degree programs;

"(2) are developed in consultation with business, industry, and labor unions; and

"(3) address effectively the issues of dropout prevention and re-entry and the needs of minority youths, youths of limited English proficiency, youths with handicaps, and disadvantaged youths.

"(e) EQUITABLE DISTRIBUTION OF ASSISTANCE.—In making grants under this part, the Secretary shall ensure an equitable distribution of assistance among States and the Secretary or the State board, as appropriate, shall ensure an equitable distribution of assistance between urban and rural consortium participants.

"(f) NOTICE.—(1) In the case of grants to be made by the Secretary, each consortium that submits an application under this section shall provide notice of such submission and a copy of such application to the State educational agency and the State agency for higher education of the State in which the consortium is located.

"(2) The Secretary shall notify the State educational agency, the State agency for higher education, and the State council on vocational education of any State each time a consortium located in such State is selected to receive a grant under this part.

"SEC. 346. REPORTS.

"(a) REPORT TO THE SECRETARY.—In the case of grants made by the Secretary, each grant recipient shall, with respect to assistance received under this part, submit to the Secretary such reports as may be required by the Secretary to ensure that such grant recipient is complying with the requirements of this part.

"(b) REPORT TO THE CONGRESS.—After grant recipients who receive grants in the first year in which grants are made under this part complete their eligibility under the program, the Secretary shall submit to the Congress a report evaluating the effectiveness of the program under this part.

"SEC. 347. DEFINITIONS.

"For purposes of this part:

"(1) The term 'articulation agreement' means a commitment to a program designed to provide students with a nonduplicative sequence of progressive achievement leading to competencies in a tech-prep education program.

"(2) The term 'community college'—

"(A) has the meaning provided in section 1201(a) of the Higher Education Act of 1965 for an institution which provides not less than a 2-year program which is acceptable for full credit toward a bachelor's degree; and

"(B) includes tribally controlled community colleges.

"(3) The term 'tech-prep education program' means a combined secondary and postsecondary program which—

"(A) leads to an associate degree or 2-year certificate;

"(B) provides technical preparation in at least 1 field of engineering technology, applied science, mechanical, industrial, or practical art or trade, or agriculture, health, or business;

"(C) builds student competence in mathematics, science, and communications (including through applied academics) through a sequential course of study; and

"(D) leads to placement in employment.

"(4) The terms 'institution of higher education' and 'higher education' include institutions offering apprenticeship programs of at least 2 years beyond the completion of secondary school.".

SEC. 309. SUPPLEMENTARY STATE GRANTS FOR FACILITIES AND EQUIPMENT AND OTHER PROGRAM IMPROVEMENT ACTIVITIES.

Title III of the Act (as amended by section 308 of this Act) (20 U.S.C. 2351 et seq.) is further amended by adding at the end the following new part:

"PART F—SUPPLEMENTARY STATE GRANTS FOR FACILITIES AND EQUIPMENT AND OTHER PROGRAM IMPROVEMENT ACTIVITIES

"SEC. 351. STATEMENT OF PURPOSE.

"It is the purpose of this part to provide funding to local educational agencies in economically depressed areas for program improvement activities, especially the improvement of facilities and acquisition or leasing of equipment to be used to carry out vocational education programs that receive assistance under this Act.

"SEC. 352. ALLOTMENT TO STATES.

"In each fiscal year, from any amounts appropriated for purposes of carrying out this part, the Secretary shall allot to each State an amount which bears the same ratio to such appropriated amounts as the aggregate amount allocated to counties in such State for such

fiscal year under section 1006 of the Elementary and Secondary Education Act of 1965 bears to the total amount appropriated for carrying out such section for such fiscal year.

"SEC. 353. ALLOCATION TO LOCAL EDUCATIONAL AGENCIES.

"(a) Distribution of All Grant Amounts.—In each fiscal year for which a State receives a grant under this part, the State shall distribute not less than 100 percent of the amounts made available under the grant to eligible local educational agencies as provided in subsection (b).

"(b) Grant Amounts.—In each fiscal year for which a State receives a grant under this part, each eligible local educational agency or consortium of such agencies in the State shall receive an amount under this part that bears the same relationship to the amount received by such local educational agency or agencies under section 1006 of the Elementary and Secondary Education Act of 1965 bears to the aggregate amount received by local educational agencies in such State under such section in such fiscal year.

"SEC. 354. USES OF FUNDS.

"Each local educational agency or consortium of such agencies that receives a grant under this part shall——

"(1) give first priority to using funds provided under the grant for improving facilities and acquiring or leasing equipment for carrying out vocational education programs that receive assistance under this Act; and

"(2) then may use any funds not required to carry out the provisions of paragraph (1) for other program improvement activities, such as curriculum development or teacher training.

"SEC. 355. STATE APPLICATIONS.

"(a) In General.—Each State that desires to receive a grant under this part shall submit to the Secretary an application at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require. Each such application shall—

"(1) designate the sole State agency described in section 111(a)(1) as the State agency responsible for the administration and supervision of activities carried out with assistance under this part;

"(2) provide for a process of consultation with the State council established under section 112;

"(3) describes how funds will be allocated in a manner consistent with section 353;

"(4) provide for an annual submission of data concerning the use of funds and students served with assistance under this part;

"(5) provide that the State educational agency will keep such records and provide such information to the Secretary as may be required for purposes of financial audits and program evaluations; and

"(6) contain assurances that the State will comply with the requirements of this part.

"(b) Period of Application.—An application submitted by the State under subsection (a) shall be for a period of not more than 3 years and shall be amended annually.

"SEC. 354. LOCAL APPLICATIONS.

"Each local educational agency or consortium of such agencies that desires to receive a grant under this part shall submit to the State an application at such time, in such manner, and containing or accompanied by such information as the State may reasonably require.".

SEC. 310. COMMUNITY EDUCATION EMPLOYMENT CENTERS AND VOCATIONAL EDUCATION LIGHTHOUSE SCHOOLS.

Title III of the Act (as amended by sections 308 and 309 of this Act) is further amended by inserting at the end the following:

"PART G—COMMUNITY EDUCATION EMPLOYMENT CENTERS AND VOCATIONAL EDUCATION LIGHTHOUSE SCHOOLS

"Subpart 1—Community Education Employment Centers

"SEC. 361. SHORT TITLE.

"This part may be cited as the 'Community Education Employment Center Act of 1990'.

"SEC. 362. PURPOSE.

"It is the purpose of this part to establish and evaluate model high school community education employment centers to meet the education needs of low-income urban and rural youth by awarding grants to eligible recipients to enable such eligible recipients to establish community education employment centers to provide students with the education, skills, support services, and enrichment necessary to ensure—

"(1) graduation from secondary school;

"(2) successful transition from secondary schools to a broad range of postsecondary institutions; and

"(3) employment, including military service.

"SEC. 363. PROGRAM AUTHORIZED.

"(a) In General.—The Secretary is authorized to make grants to eligible recipients having applications approved pursuant to section 369 to establish and operate not more than 10 community education employment centers nationwide.

"(b) Grant Period.—Grants awarded under this section may be for a period of 5 years.

"SEC. 364. PROGRAM REQUIREMENTS.

"Each eligible recipient receiving a grant under this part shall—

"(1) operate a community education employment center on an extended year and extended day basis;

"(2) establish a collegial working environment, with substantial opportunities for staff training and development and shared decisionmaking;

"(3) maintain small class sizes, and to the extent possible, maintain an average class size of 15 students or less;

"(4) have the option to organize community education and employment centers into 1 or more programs, specializing in different areas of study of particular interest and employment opportunities for the student population;

"(5) offer a broad array of secondary school coursework, including, to the extent possible—

"(A) English, mathematics, history, geography, biology, chemistry, physics, and computer science;

"(B) opportunities for student participation in a wide range of extracurricular activities, including community service and exploration, sports, fine and performing arts and tutorial study sessions;

"(C) a comprehensive vocational-technical education program developed through regular consultation with employer-labor panels with knowledge of relevant industries, and which offers skills in planning, management, finances, technical and production skills, underlying principles of technology, labor and community issues, economic development and health, safety, and environment issues;

"(D) courses in health, nutrition, and parenting;

"(6) offer students on-site opportunities for assistance with career planning and decisionmaking, employability, entrepreneurial abilities, interpersonal communication skills, and remedial studies;

"(7) maintain an emphasis on the development of academic skills, regardless of student career objectives;

"(8) provide technical assistance and training to staff from other schools and local education agencies within the State who wish to replicate community education employment center capabilities;

"(9) seek to utilize community organizations to provide support for educational activities and services to parents and students; and

"(10) offer school-to-work transition services.

"SEC. 365. SUPPORT SERVICES REQUIREMENTS.

"Each eligible recipient receiving a grant under this part shall establish in each community education employment center a support system to coordinate services for students, including—

"(1) a comprehensive program of confidential guidance counseling, providing—

"(A) guidance for career and personal decisionmaking and postsecondary institution placement;

"(B) mentoring and referral to appropriate social services; and

"(C) an accessible counseling service to help parents to focus on the enhancement of student education;

"(2) an on-site job service office to offer students—

"(A) career guidance, development, and employment counseling, which provides information about a broad range of occupations and alternative career paths;

"(B) labor market information, job development, career testing, and occupational placement services for part-time and summer employment, internships, cooperative pro-

grams, and part-time and full-time employment opportunities upon graduation; and

"(C) assistance in arranging part-time employment, so long as such employment does not adversely affect academic performance;

"(3) assistance in arranging a summer program of work, education, or enrichment sessions;

"(4) to the extent possible, providing transportation to and from the community education employment center and part-time job sites; and

"(5) access to day care services for children of participating students.

"SEC. 366. PARENTAL AND COMMUNITY PARTICIPATION.

"(a) IN GENERAL.—Each eligible recipient receiving a grant under this part shall employ a parent/community coordinator to provide for the active and informed participation of parents and appropriate community representatives in each community education employment center by—

"(1) encouraging parents and students to make informed decisions in reviewing and selecting the choice of community education employment center programs for their children;

"(2) conducting regular parent seminars to—

"(A) inform parents about community education employment center operations;

"(B) obtain parent input; and

"(C) disseminate information on how parents can encourage student performance;

"(3) providing the parents of each student with a regular opportunity to meet with counselors, teachers, and the student to discuss student progress, plans, and needs;

"(4) providing a range of roles in which parents may work with students at home or as class assistants or volunteer coordinators;

"(5) establishing an advisory Council of Advisors (in this part referred to as the 'Council') consisting of 1 individual representing each of the following entities:

"(A) the local educational agency;

"(B) the State council on vocational education and the State agency responsible for secondary vocational education;

"(C) the student body;

"(D) the local teacher organization;

"(E) guidance counselors;

"(F) community-based organizations;

"(G) parents; and

"(H) the appropriate private industry council.

"(b) FUNCTIONS OF THE COUNCIL.—The Council shall provide recommendations to, and work with, eligible recipients to—

"(1) establish annual community education employment center priorities, programs, and procedures;

"(2) establish student selection criteria to ensure that all students in the school district have an equal opportunity to attend the community education employment center and that partici-

pants will be representative of the secondary school population in the school district;

"(3) promulgate a student code of conduct that shall be developed in consultation with the students and teachers;

"(4) assist in the selection of the community education employment center principal, administrators, department chairpersons, and teachers;

"(5) assist in the selection and application of assessment tools for continuous evaluation of student learning progress;

"(6) make recommendations for the selection of curriculum textbooks, software, and other learning resources and equipment; and

"(7) make recommendations regarding the coordination of activities assisted under this part with activities assisted under the Job Training Partnership Act and school to work transitions.

"SEC. 367. PROFESSIONAL STAFF.

"(a) IN GENERAL.—Each eligible recipient receiving a grant under this part shall only employ professional staff who demonstrate the highest of academic, teaching, guidance, or administrative standards.

"(b) TEACHERS.—(1) Each eligible recipient receiving a grant under this part shall ensure that community education employment center teachers receive inservice training at least annually in techniques, procedures and policies relevant to the community education employment center.

"(2) Each eligible recipient receiving a grant under this part shall employ a sufficient number of full-time certified or licensed guidance and career counselors to assist, enhance and monitor student progress.

"SEC. 368. ELIGIBILITY.

"An eligible recipient shall be eligible to receive a grant under this part if—

"(1) the eligible recipient is located in or serves 1 or more local educational agencies that are eligible for assistance under section 1006 of the Elementary and Secondary Education Act of 1965; and

"(2) the eligible recipient demonstrates that it will serve a student population which is predominantly educationally and economically disadvantaged.

"SEC. 369. APPLICATION.

"(a) APPLICATION REQUIRED.—Each eligible recipient desiring to participate in the demonstration grant program authorized by this part shall prepare and submit an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may require.

"(b) CONTENTS OF APPLICATION.—Each application submitted pursuant to subsection (a) shall—

"(1) demonstrate that the area where the center is to be located has a high concentration of children from low-income families, relative to the county and State as a whole;

"(2) describe the activities and services for which assistance is sought;

"(3) provide assurances that the eligible recipient will comply with the provisions of sections 364, 365, 366, 367, and 368;

"(4) contain assurances that the State and local educational agency will, in any fiscal year, at least supply the same fiscal effort per student with respect to the free provision of public education to community education employment center students as such local educational agency provides for students attending secondary schools in such local educational agency;

"(5) utilize funding available from appropriate employment, training, and education programs in the State;

"(6) contain assurances that the community education employment center will coordinate the operations of such center to help meet local economic needs; and

"(7) provide such additional assurances as the Secretary may reasonably require.

"SEC. 370. EVALUATION AND REPORT.

"(a) Local Evaluation.—Each community education employment center shall submit annually to the Secretary a comprehensive and continuous evaluation of student learning progress, including—

"(1) academic and vocational competencies;

"(2) dropout rates;

"(3) information concerning employment and earnings while the students are attending a community education employment center and upon the graduation of such students from such center;

"(4) information concerning student attendance at postsecondary institutions or student enlistment into military service upon the graduation of such students from the community employment education center; and

"(5) parental, student and community participation in the activities of the community employment education center.

"(b) Report.—The Secretary shall report to the Congress on the evaluations submitted pursuant to subsection (a) not later than October 1, 1995.

"SEC. 371. DEFINITIONS.

"As used in this part—

"(1) the term 'eligible recipient' means a secondary school or an area vocational school; and

"(2) the term 'parent' includes a legal guardian or other person standing in loco parentis.

"Subpart 2—Vocational Education Lighthouse Schools

"SEC. 375. VOCATIONAL EDUCATION LIGHTHOUSE SCHOOLS.

"(a) Program Authorized.—The Secretary is authorized to make grants to secondary schools and area vocational education schools to enable such schools to establish and operate vocational education lighthouse schools.

"(b) Use of Funds.—Grants awarded under this section shall be used to establish vocational education lighthouse schools which—

"(1) serve as a model vocational education program—

"(A) to provide each student with knowledge of, and experience in, all aspects of the industry or enterprise the student is preparing to enter;

"(B) to provide each student with basic and higher order skills and develop the student's problem solving abilities in a vocational setting;

"(C) to offer exceptionally high quality programs for disadvantaged and minority students;

"(D) to provide the special services and modifications necessary to help individual students successfully complete the program;

"(E) which is planned, developed and implemented with the participation of staff, local employers and local community; and

"(F) which offers a full range of programs, including comprehensive career guidance and counseling, for students who plan to seek employment upon graduation or who will enroll in a 2- or 4-year college;

"(2) provide information and assistance to other grant recipients, vocational programs, vocational education personnel, parents, students, other educators, community members and community organizations throughout the State regarding—

"(A) curriculum materials;

"(B) curriculum development, especially the integration of vocational and academic education;

"(C) inservice and preservice staff development, training, and assistance, through off-site activities and through a range of short-term and long-term opportunities to participate in activities at the demonstration site;

"(D) opportunities to systematically observe the model program; and

"(E) technical assistance and staff development, as appropriate;

"(3) use funds received under this section, together with funds from non-Federal sources, to develop and implement model programs containing the elements described in paragraph (1);

"(4) develop comprehensive linkages with other local schools, community colleges, 4-year colleges, private vocational schools, community-based organizations, labor unions, employers, and other business groups, as appropriate; and

"(5) develop and disseminate model approaches—

"(A) for meeting the education training needs and career counseling needs of minority students, disadvantaged students, students with handicaps, and students of limited English proficiency; and

"(B) to reduce and eliminate sex bias and stereotyping.".

SEC. 311. VOCATIONAL EDUCATION OPPORTUNITIES FOR INDIANS AND ALASKA NATIVES.

Title III of the Act (as amended by sections 308, 309 and 310 of this Act) (20 U.S.C. 2351) is further amended by adding at the end the following new part:

"PART H—TRIBALLY CONTROLLED POSTSECONDARY VOCATIONAL INSTITUTIONS

"SEC. 381. SHORT TITLE.

"This part may be cited as the 'Tribally Controlled Vocational Institutions Support Act of 1990'.

"SEC. 382. PURPOSE.

"It is the purpose of this part to provide grants for the operation and improvement of tribally controlled postsecondary vocational institutions to ensure continued and expanded educational opportunities for Indian students, and to allow for the improvement and expansion of the physical resources of such institutions.

"SEC. 383. GRANTS AUTHORIZED.

"(a) GENERAL AUTHORITY.—The Secretary shall, subject to the availability of appropriations, make grants pursuant to this section to tribally controlled postsecondary vocational institutions to provide basic support for the education and training of Indian students.

"(b) USE OF GRANTS.—Amounts made available under grants made pursuant to this section may be used for—

"(1) training costs;

"(2) educational costs;

"(3) equipment costs;

"(4) administrative costs; and

"(5) costs of operation and maintenance of the institution.

"SEC. 384. ELIGIBLE GRANT RECIPIENTS.

"To be eligible for assistance under this part a tribally controlled postsecondary vocational institution shall—

"(1) be governed by a board of directors or trustees, a majority of whom are Indians;

"(2) demonstrate adherence to stated goals, a philosophy or a plan of operation which fosters individual Indian economic and self-sufficiency opportunity, including programs which are appropriate to stated tribal goals of developing individual entrepreneurships and self-sustaining economic infrastructures on reservations;

"(3) have been in operation for at least 3 years;

"(4) hold accreditation with or be a candidate for accreditation by a nationally recognized accrediting authority for postsecondary vocational education; and

"(5) enroll the full-time equivalency of not less than 100 students, of whom a majority are Indians.

"SEC. 385. GRANTS TO TRIBALLY CONTROLLED POSTSECONDARY VOCATIONAL INSTITUTIONS.

"(a) APPLICATIONS.—Any tribally controlled postsecondary vocational institution that desires to receive a grant under this part shall submit an application to the Secretary. Such application shall include a description of recordkeeping procedures for the expenditure of funds received under this part which will allow the Secretary to audit and monitor programs.

"(b) Initial Grants.—In the first year for which amounts are appropriated to carry out this part, the number of grants issued shall be not less than 2.

"(c) Consultation.—In making grants pursuant to this part, the Secretary shall, to the extent practicable, consult with the boards of trustees and the tribal governments chartering the institutions being considered.

"(d) Limitation.—Amounts made available under grants made pursuant to this part shall not be used in connection with religious worship or sectarian instruction.

"SEC. 386. AMOUNT OF GRANTS.

"(a) Allowable Expenses.—Except as provided in subsection (d), the Secretary shall, subject to the availability of appropriations, provide for each program year to each tribally controlled vocational institution having an application approved by the Secretary, an amount necessary to pay expenses associated with—

"(1) the maintenance and operation of the program, including development costs, costs of basic and special instruction (including special programs for individuals with handicaps and academic instruction), materials, student costs, administrative expenses, boarding costs, transportation, student services, day care and family support programs for students and their families (including contributions to the costs of education for dependents);

"(2) capital expenditures, including operations and maintenance and minor improvements and repair, physical plant maintenance costs; and

"(3) costs associated with repair, upkeep, replacement, and upgrading of the instructional equipment.

"(b) Payments.—(1) For each fiscal year, the Secretary shall provide amounts to institutions that are approved for grants under section 385 in 2 payments.

"(2)(A) The first payment shall be made before the end of the 30-day period beginning on the date of the enactment of an Act providing appropriations for such fiscal year for purposes of carrying out this part. Except as provided in subparagraph (B), such payment shall be in an amount that is equal to at least 50 percent of the amount determined to be required under subsection (a) for the preceding year.

"(B) In the first year that an institution receives a grant under this part, the Secretary shall determine the amount of the first payment by estimating the costs described in subsection (a) based upon information submitted by the institution.

"(3) Each institution that receives a grant under section 385 shall receive a final payment of amounts to which it is entitled based on its costs under subsection (a) not later than January 1 of the fiscal year in which the costs are incurred.

"(c) Accounting.—Each institution receiving payments under this part shall annually provide to the Secretary an accurate and detailed accounting of its operating and maintenance expenses and such other information concerning costs as the Secretary may reasonably require.

"(d) Additional Grants Authorized.—(1) After providing grants to all eligible institutions under subsection (a), the Secretary shall, from any amounts remaining—

"(A) first allocate to institutions receiving their first grant under this part an amount equal to the training equipment costs necessary to implement training programs; and

"(B) from any remaining funds, review training equipment needs at each institution receiving assistance under this part at the end of the 5-year period beginning on the first day of the first year for which the institution received a grant under this part, and provide allocations for other training equipment needs if it is demonstrated by the institution that its training equipment has become obsolete for its purposes, or that the development of other training programs is appropriate.

"(2) For the purposes of carrying out this subsection, the Secretary may require from each institution the submission of such information relating to the feasibility of such training programs as is reasonable and practical.

"SEC. 387. EFFECT ON OTHER PROGRAMS.

"(a) In General.—Except as specifically provided in this Act, eligibility for assistance under this part shall not preclude any tribally controlled postsecondary vocational institution from receiving Federal financial assistance under any program authorized under the Higher Education Act of 1965 or any other applicable program for the benefit of institutions of higher education or vocational education.

"(b) Prohibition on Alteration of Grant Amount.—The amount of any grant for which tribally controlled postsecondary vocational institutions are eligible under this part shall not be altered because of funds allocated to any such institution from funds appropriated under the Act of November 2, 1921.

"(c) Prohibition on Contract Denial.—No tribally controlled postsecondary vocational institution for which an Indian tribe has designated a portion of the funds appropriated for the tribe from funds appropriated under the Act of November 2, 1921, may be denied a contract for such portion under the Indian Self-Determination and Education Assistance Act (except as provided in that Act), or denied appropriate contract support to administer such portion of the appropriated funds.

"SEC. 388. GRANT ADJUSTMENTS.

"(a) Allocation.—(1) If the sums appropriated for any fiscal year for grants under this part are not sufficient to pay in full the total amount which approved applicants are eligible to receive under this part for such fiscal year, the Secretary shall first allocate to each such applicant which received funds under this part for the preceding fiscal year an amount equal to 100 percent of the product of the per capita payment for the preceding fiscal year and such applicant's Indian student count for the current program year, plus an amount equal to the actual cost of any increase to the per capita figure resulting from inflationary increases to necessary costs beyond the institution's control.

"(2) For purposes of paragraph (1), the per capita payment for any fiscal year shall be determined by dividing the amount available for *grants to tribally controlled postsecondary vocational institutions under this part for such program year by the sum of the Indian student counts of such institutions for such program year. The Secretary shall, on the basis of the most accurate data available from the institutions, compute the Indian student count for any fiscal year for which such count was not used for the purpose of making allocations under this part.*

"(b) Needs Estimate.—The Secretary shall, based on the most accurate data available from the institutions and Indian tribes whose Indian students are served under this part, in consideration of employment needs, economic development needs, population training needs, prepare an actual budget needs estimate for each institution eligible under this part for each subsequent program year, and submit such budget needs estimate to the Congress in such a timely manner as will enable the appropriate committees of the Congress to consider such needs data for purposes of the uninterrupted flow of adequate appropriations to such institutions.

"SEC. 389. REPORT ON FACILITIES AND FACILITIES IMPROVEMENT.

"(a) Study of Training and Housing Needs.—(1) The Secretary shall conduct a detailed study of the training and housing needs of each institution eligible under this part.

"(2) The study required by paragraph (1) shall include an examination of—

"(A) training equipment needs; and

"(B) housing needs of families whose heads of household are students and whose dependents have no alternate source of support while such heads of household are students.

"(3) The Secretary shall report to the Congress not later than July 1, 1991, on the results of the study required by paragraph (1).

"(4) The report required by paragraph (3) shall—

"(A) include the number, type, and cost of meeting the needs described in paragraph (2); and

"(B) rank each institution by relative need.

"(5) In conducting the study required by paragraph (1), the Secretary shall give priority to institutions which are receiving assistance under this part.

"(b) Long-Term Study of Facilities.—(1) The Secretary shall provide for the conduct of a long-term study of facilities of each institution eligible for assistance under this part.

"(2) The study required by paragraph (1) shall include a 5-year projection of training facilities and equipment and housing needs and shall consider such factors as projected service population, employment and economic development forecasting, based on the most current and accurate data available from the institutions and Indian tribes affected.

"(3) The Secretary shall submit to the Congress a detailed report on the results of such study not later than the end of the 18-month period beginning on the date of the enactment of this Act.

"(4) The Secretary shall submit to the Congress a progress report not less often than once every 6 months, beginning on the date of the enactment of this Act, concerning activities conducted pursuant to this section.

"(c) CONSTRUCTION AND RENOVATION GRANTS.—Pursuant to the studies conducted and the report submitted under subsections (a) and (b), the Secretary is authorized to make grants to the tribally controlled vocational institutions for construction, rehabilitation, major alterations and renovation of buildings and other physical structures for the conduct of programs funded under this part. Such grants shall be made in such time and pursuant to such applications as the Secretary shall by regulation determine.

"SEC. 390. DEFINITIONS.

"For the purposes of this part:

"(1) The terms 'Indian' and 'Indian tribe' have the meaning given such terms in section 2 of the Tribally Controlled Community College Assistance Act of 1978.

"(2) The term 'tribally controlled postsecondary vocational institution' means an institution of higher education which is formally controlled, or has been formally sanctioned or chartered by the governing body of an Indian tribe or tribes which offers technical degrees or certificate granting programs.

"(3) The term 'Indian student count' means a number equal to the total number of Indian students enrolled in each tribally controlled vocational institution, determined as follows:

"(A) The registrations of Indian students as in effect on October 1 of each year.

"(B) Credits or clock hours toward a certificate earned in classes offered during a summer term shall be counted toward the computation of the Indian student count in the succeeding fall term.

"(C) Credits or clock hours toward a certificate earned in classes during a summer term shall be counted toward the computation of the Indian student count if the institution at which the student is in attendance has established criteria for the admission of such student on the basis of the student's ability to benefit from the education or training offered. The institution shall be presumed to have established such criteria if the admission procedures for such studies include counseling or testing that measures the student's aptitude to successfully complete the course in which the student has enrolled. No credit earned by such student for purposes of obtaining a high school degree or its equivalent shall be counted toward the computation of the Indian student count.

"(D) Indian students earning credits in any continuing education program of a tribally controlled vocational institution shall be included in determining the sum of all credit or clock hours.

"(E) Credits or clock hours earned in a continuing education program shall be converted to the basis that is in accordance with the institution's system for providing credit for participation in such programs.".

SEC. 312. TRIBAL ECONOMIC DEVELOPMENT.

The Tribally Controlled Community College Assistance Act of 1978 is amended by adding at the end the following new title:

"TITLE IV—TRIBAL ECONOMIC DEVELOPMENT

"SEC. 401. SHORT TITLE.

"This title may be cited as the 'Tribal Economic Development and Technology Related Education Assistance Act of 1990'.

"SEC. 402. GRANTS AUTHORIZED.

"(a) General Authority.—The Secretary is authorized, subject to the availability of appropriations, to make grants to tribally controlled community colleges which receive grants under either this Act or the Navajo Community College Act for the establishment and support of tribal economic development and education institutes. Each program conducted with assistance under a grant under this subsection shall include at least the following activities:

"(1) Determination of the economic development needs and potential of the Indian tribes involved in the program, including agriculture and natural resources needs.

"(2) Development of consistent courses of instruction to prepare postsecondary students, tribal officials and others to meet the needs defined under paragraph (1). The development of such courses may be coordinated with secondary institutions to the extent practicable.

"(3) The conduct of vocational courses, including administrative expenses and student support services.

"(4) Technical assistance and training to Federal, tribal and community officials and business managers and planners deemed necessary by the institution to enable full implementation of, and benefits to be derived from, the program developed under paragraph (1).

"(5) Clearinghouse activities encouraging the coordination of, and providing a point for the coordination of, all vocational activities (and academically related training) serving all students of the Indian tribe involved in the grant.

"(6) The evaluation of such grants and their effect on the needs developed under paragraph (1) and tribal economic self-sufficiency.

"(b) Amount and Duration.—The grants shall be of such amount and duration as to afford the greatest opportunity for success and the generation of relevant data.

"(c) Applications.—Institutions which receive funds under other titles of this Act or the Navajo Community College Act may apply for grants under this title either individually or as consortia. Each applicant shall act in cooperation with an Indian tribe or tribes in developing and implementing a grant under this part.

"SEC. 403. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated for grants under this part $2,000,000 for the fiscal year 1991 and such sums as may be necessary for each of the 5 succeeding fiscal years.".

SEC. 313. FACILITIES.

Section 112 of the Tribally Controlled Community College Assistance Act of 1978 is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

"(c)(1) The Secretary shall enter into a contract with an organization described in paragraph (2) to establish and provide on an annual basis criteria for the determination and prioritization in a consistent and equitable manner of the facilities construction and renovation needs of colleges that receive funding under this Act or the Navajo Community College Act.

"(2) An organization described in this section is any organization that—

"(A) is eligible to receive a contract under the Indian Self-Determination and Education Assistance Act; and

"(B) has demonstrated expertise in areas and issues dealing with tribally controlled community colleges.

"(3) The Secretary shall include the priority list established pursuant to this subsection in the budget submitted annually to the Congress.".

TITLE IV—NATIONAL PROGRAMS

SEC. 401. RESEARCH AND DEVELOPMENT.

The heading for part A of title IV of the Act is amended to read as follows:

"PART A—RESEARCH AND DEVELOPMENT".

SEC. 402. RESEARCH OBJECTIVES.

Section 401 of the Act (20 U.S.C. 2401) is amended—

(1) in paragraph (1), by striking "single parents or homemakers" and inserting "single parents, displaced homemakers, or single pregnant women";

(2) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively; and

(3) by inserting after paragraph (1) the following new paragraph:

"(2) to authorize additional research and development activities that are related to the purposes of this Act as stated in section 2;".

SEC. 403. RESEARCH ACTIVITIES.

Section 402 of the Act is amended—

(1) in subsection (a)—

(A) by striking "National Institute of Education or any other division of the Department of Education which the Secretary determines to be appropriate" and inserting "Office of Educational Research and Improvement";

(B) in paragraph (1), by striking "individuals who are single parents or homemakers" and inserting "single parents, displaced homemakers, single pregnant women";

(C) by striking paragraphs (5) and (6);

(D) by redesignating paragraph (4) as paragraph (6);

(E) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively;

(F) by redesignating paragraph (7) as paragraph (8);

(G) by inserting after paragraph (1) the following new paragraphs:

"(2) research on the development and implementation of performance standards and measures that fit within the needs of State boards or eligible recipients in carrying out the provisions of this Act and on the relationship of such standards and measures to the data system established under section 421, which may include evaluation of existing performance standards and measures and dissemination of such information to the State board and eligible recipients;

"(3) evaluation of the use of performance standards and measures under this Act and the effect of such standards and measures on the participation of students in vocational education programs and on the outcomes of students in such programs, especially students who are members of special populations;";

(H) in paragraph (6) (as redesignated by subparagraph (D) of this section)—

(i) by inserting "and more advanced" after "basic"; and

(ii) by inserting "and problem-solving" after "academic"; and

(I) by inserting after paragraph (6) (as redesignated by subparagraph (D) of this section) the following new paragraph:

"(7) successful methods for providing students, to the maximum extent practicable, with experience in and understanding of all aspects of the industry such students are preparing to enter; and"

(2) by amending subsection (b) to read as follows:

"(b) In addition, the Secretary shall support meritorious, unsolicited research proposals from individual researchers, community colleges, State advisory councils, and State and local educators relating to the goals of this Act.";

(3) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(4) by inserting after subsection (b) the following new subsection:

"(c) DISSEMINATION.—The Secretary shall establish a system for disseminating information resulting from research and development activities carried out under this Act. In establishing such system, the Secretary shall use existing dissemination systems, including the National Diffusion Network, the National Center or Centers for Research in Vocational Education, and the National Network for Curriculum Coordination in Vocational and Technical Education, in order to assure broad access at the State and local levels to the information being disseminated.

"(2)(A) In order to comply with paragraph (1), the Secretary shall establish through grants or contracts a National Network for Curriculum Coordination in Vocational and Technical Education (in

this paragraph referred to as the 'Network') consisting of 6 regional curriculum coordination centers. The Network shall—

"(i) provide national dissemination of information on effective vocational education programs and materials, with particular attention to regional programs;

"(ii) be accessible by electronic means;

"(iii) provide leadership and technical assistance in the design, development, and dissemination of curricula for vocational education;

"(iv) coordinate the sharing of information among the States with respect to vocational education curricula;

"(v) reduce duplication of effort in State activities for the development of vocational education curricula; and

"(vi) promote the use of research findings with respect to vocational education curricula.

"(B) The Secretary shall encourage the designation by each State of a liaison representative for the Network."; and

(5) in paragraph (1) of subsection (e) (as redesignated in paragraph (3)) by striking "(1)"; and

(6) by striking paragraph (2) of subsection (e) (as redesignated in paragraph (3)).

SEC. 404. NATIONAL ASSESSMENT.

Section 403 of the Act is amended to read as follows:

"SEC. 403. NATIONAL ASSESSMENT OF VOCATIONAL EDUCATION PROGRAMS.

"(a) IN GENERAL.—(1) The Office of Education Research and Improvement (in this section referred to as the 'Office') shall conduct a national assessment of vocational education programs assisted under this Act, through studies and analyses conducted independently through competitive awards.

"(2) The Office shall appoint an independent advisory panel, consisting of vocational education administrators, educators, researchers, and representatives of business, industry, labor, and other relevant groups, to advise the Office on the implementation of such assessment, including the issues to be addressed, the methodology of the studies, and the findings and recommendations. The panel, at its discretion, may submit to the Congress an independent analysis of the findings and recommendations of the assessment. The Federal Advisory Committee Act shall not apply to the panel established under this paragraph.

"(b) CONTENTS.—The assessment required under subsection (a) shall include descriptions and evaluations of—

"(1) the effect of this Act on State and tribal administration of vocational education programs and on local vocational education practices, including the capacity of State, tribal and local vocational education systems to address the priorities identified in this Act;

"(2) expenditures at the Federal, State, tribal and local levels to address program improvement in vocational education, including the impact of Federal allocation requirements (such as within-State allocation formulas) on the delivery of services;

"(3) preparation and qualifications of teachers of vocational and academic curricula in vocational education programs, as well as shortages of such teachers;

"(4) participation in vocational education programs, including, in particular, access of individuals who are members of special populations to high-quality vocational education programs and the effect on the delivery of services to such populations, of Federal legislation giving States flexibility in allocating funds to serve such populations;

"(5) academic and employment outcomes of vocational education, including analyses of—

"(A) the effect of educational reform on vocational education;

"(B) the extent and success of integration of academic and vocational curricula;

"(C) the success of the school-to-work transition; and

"(D) the degree to which vocational training is relevant to subsequent employment;

"(6) employer involvement in, and satisfaction with, vocational education programs;

"(7) the effect of performance standards and other measures of accountability on the delivery of vocational education services;

"(8) the effect of Federal requirements regarding criteria for services to special populations, participatory planning in the States, and articulation between secondary and postsecondary programs;

"(9) coordination of services under this Act, the Adult Education Act, the Job Training Partnership Act, the National Apprenticeship Act, the Rehabilitation Act of 1973, and the Wagner-Peyser Act; and

"(10) the degree to which minority students are involved in vocational student organizations.

"(c) CONSULTATION.—(1) The Secretary shall consult with the Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor of the House of Representatives in the design and implementation of the assessment required under subsection (a).

"(2) The Secretary shall submit to the Congress—

"(A) an interim report on or before January 1, 1994; and

"(B) a final report, summarizing all studies and analyses completed after the assessment, on or before July 1, 1994.

"(3) Notwithstanding any other provision of law or regulation, the reports required by this subsection shall not be subject to any review outside of the Office of Educational Research and Improvement before their transmittal to the Congress, but the President, the Secretary, and the independent advisory council established under subsection (a)(2) may make such additional recommendations to the Congress with respect to the assessment as they deem appropriate.

"(d) STUDY.—(1) The assessment required by subsection (a) shall include a study of the distribution of Federal vocational education funds to the States. The study shall—

"(A) consider the distributional effects of the formula for allocation to the States established in section 101(a)(2), including the age cohorts and the per capita income allotment ratios;

"(B) examine the impact that various other factors such as State tax capacity, tax effort, per capita income, poverty and educational achievement, could have in achieving the Federal goals and policy objectives of this Act;

"(C) specifically address the appropriate distribution mechanism to serve the target populations of this Act;

"(D) explore the use of other possible methods of targeting funds to individuals who are members of special populations, particularly individuals who are economically disadvantaged, including the poverty rate of the school-aged population, the gross State product per school-aged child, relative tax capacity, and tax effort of the State, unemployment figures, and dropout rates.

"(2) The findings of the study required by paragraph (1) shall be used to formulate recommendations on the most appropriate criteria and methods to direct Federal funds to the States and to achieve the Federal goals and policy objectives of this Act.

"(3) The study required under paragraph (1) shall be completed by January 1, 1994.".

SEC. 405. NATIONAL CENTER OR CENTERS FOR RESEARCH IN VOCATIONAL EDUCATION.

Section 404 of the Act is amended to read as follows:

"SEC. 404. NATIONAL CENTER OR CENTERS FOR RESEARCH IN VOCATIONAL EDUCATION.

"(a) GENERAL AUTHORITY.—(1) In order to address the purposes of this Act through the involvement of a broad array of individuals, including both vocational and academic teachers and administrators, the Secretary is authorized to award a grant or grants for the establishment of 1 or 2 national centers in the areas of—

"(A) applied research and development; and

"(B) dissemination and training.

"(2)(A) Each entity selected to establish and operate a Center pursuant to paragraph (1) shall operate such Center for a period of 5 years.

"(B) Beginning after December 31, 1992, the Secretary shall award an annual grant to the National Center or Centers selected pursuant to paragraph (1) for each of the 5 years such National Center is operated. After the third year in which the National Center or Centers receive a grant under this section the Secretary shall review the research priorities of the National Center or Centers.

"(3) Of the amount available pursuant to section 451(a)(1) for purposes of carrying out this section, at least 2/3 of such amount shall be available for applied research and development.

"(4)(A) The Secretary shall hold a competition at the same point in time for the grant or grants for the activities described in paragraph (1). Any institution of higher education or consortium of such institutions may compete for either or both sets of activities.

"(B) For the purpose of this section the term 'institution of higher education' has the same meaning as provided by section 435(b) of the Higher Education Act of 1965.

"(5) If an institution or consortium demonstrates that it can effectively carry out both activities either directly or through contracting, such institution or consortium shall be given a preference in the grant selection. If no institution or consortium demonstrates such capability and 2 grants are awarded, the Secretary must assure coordination of the activities under both grants.

"(6) Not more than 10 percent of each year's budget for the Center or for each of the Centers may be used to respond to field-initiated needs unanticipated prior to the annual funding period and which are in the mission of the Center but not part of the scope of work of the grant.

"(7) The National Center in existence on the date of the enactment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990 shall continue to operate through its 5-year cycle ending December 31, 1992.

"(b) ACTIVITIES.—(1) The applied research and development activities shall include—

"(A) economic changes that affect the skills which employers seek and entrepreneurs need;

"(B) integration of academic and vocational education;

"(C) efficient and effective practices for addressing the needs of special populations;

"(D) efficient and effective methods for delivering vocational education;

"(E) articulation of school and college instruction with high quality work experience;

"(F) recruitment, education, and enhancement of vocational teachers and other professionals in the field;

"(G) accountability processes in vocational education, to include identification and evaluation of the use of appropriate performance standards for student, program, and State-level outcomes;

"(H) effective practices that educate students in all aspects of the industry the students are preparing to enter;

"(I) effective methods for identifying and inculcating literacy and other communication skills essential for effective job preparation and job performance;

"(J) identification of strategic, high priority occupational skills and skills formation approaches needed to maintain the competitiveness of the United States workforce, sustain high-wage, high-technology jobs and which address national priorities such as technical jobs needed to protect and restore the environment;

"(K) identification of practices and strategies that address entrepreneurial development for minority-owned enterprises; and

"(L) upon negotiation with the Center, and if funds are provided pursuant to subsection (d), such other topics as the Secretary may designate.

"(2) The Center conducting the activities described in paragraph (1) shall annually prepare a study on the research conducted on approaches that lead to effective articulation for the education-to-work transition, including tech-prep programs, cooperative education or other work-based programs, such as innovative apprenticeship or mentoring approaches, and shall submit copies of such study to the

Secretary of Education, the Secretary of Labor, the Secretary of Health and Human Services, the Committee on Labor and Human Resources of the Senate, and the Committee on Education and Labor of the House of Representatives.

"(c) DISSEMINATION AND TRAINING.—(1) The dissemination and training activities shall include—

"(A) teacher and administrator training and leadership development;

"(B) technical assistance to assure that programs serving special populations are effective in delivering well-integrated and appropriately articulated vocational and academic offerings for secondary, postsecondary, and adult students;

"(C) needs assessment, design, and implementation of new and revised programs with related curriculum materials to facilitate vocational-academic integration;

"(D) evaluation and follow-through to maintain and extend quality programs;

"(E) assistance in technology transfer and articulation of program offerings from advanced technology centers to minority enterprises;

"(F) assistance to programs and States on the use of accountability indicators, including appropriate and innovative performance standards;

"(G) delivery of information and services using advanced technology, where appropriate, to increase the effectiveness and efficiency of knowledge transfer;

"(H) development of processes for synthesis of research, in cooperation with a broad array of users, including vocational and non-vocational educators, employers and labor organizations;

"(I) dissemination of exemplary curriculum and instructional materials, and development and publication of curriculum materials (in conjunction with vocational and non-vocational constituency groups, where appropriate);

"(J) technical assistance in recruiting, hiring, and advancing minorities in vocational education; and

"(K) upon negotiation with the Center and if funds are provided pursuant to subsection (d), such other topics as the Secretary may designate.

"(2) The Center conducting the activities described in paragraph (1) shall annually prepare a study on the dissemination and training activities described in paragraph (1) and shall submit copies of such study to the Secretary of Education, the Secretary of Labor, the Secretary of Health and Human Services, the Committee on Labor and Human Resources of the Senate, and the Committee on Education and Labor of the House of Representatives.

"(d) AUTHORIZATION OF OTHER RESEARCH.—There are authorized to be appropriated $3,000,000 for the fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, and 1995 to carry out such additional activities assigned by the Secretary to the National Center in existence on the date of enactment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990 until the termination of its grant on December 31, 1992 and to carry out the provisions of subsections (b)(1)(L) and (c)(1)(K).".

SEC. 406. DEMONSTRATION PROGRAMS.

(a) IN GENERAL.—Part B of title IV of the Act is amended to read as follows:

"PART B—DEMONSTRATION PROGRAMS

"SEC. 411. PROGRAMS AUTHORIZED.

"(a) IN GENERAL.—From amounts available pursuant to section 101(a)(1)(A) in each fiscal year, the Secretary shall make demonstration grants in accordance with the provisions of this part.

"(b) PRIORITY.—In awarding demonstration grants pursuant to this part, the Secretary shall give priority to the programs described in sections 412 and 413.

"SEC. 412. MATERIALS DEVELOPMENT IN TELECOMMUNICATIONS.

"(a) GENERAL AUTHORITY.—The Secretary is authorized to make grants to nonprofit educational telecommunications entities to pay the Federal share of the costs of the development, production, and distribution of instructional telecommunications materials and services for use in local vocational and technical educational schools and colleges.

"(b) FEDERAL SHARE.—(1) The Federal share of the cost of each project assisted under this section shall be 50 percent.

"(2) The non-Federal share of the cost of each project assisted under this section shall be provided from non-Federal sources.

"(c) USE OF FUNDS.—Grants awarded pursuant to this section may be used to provide—

"(1) a sequential course of study that includes either preproduced video courseware or direct interactive teaching delivered via satellite, accompanied by a variety of print and computer-based instructional materials;

"(2) the development of individual videocassettes or a series of videocassettes that supplement instruction, which shall be distributed both via broadcast and nonbroadcast means;

"(3) videodiscs that produce simulated hands-on training; and

"(4) teacher training programs for vocational educators and administrators and correctional educators.

"(d) PRIORITY.—In awarding grants under this section the Secretary shall give priority to programs or projects which serve—

"(1) students in area vocational and technical schools;

"(2) teachers, administrators, and counselors in need of training or retraining;

"(3) out-of-school adults in need of basic skills improvement or a high school equivalency diploma to improve the employability of such individuals;

"(4) college students, particularly college students who are working toward a 2-year associate degree from a technical or community college;

"(5) workers in need of basic skills, vocational instruction, or career counseling to retain employment; and

"(6) workers who need to improve their skills to obtain jobs in high-growth industries.

"SEC. 413. DEMONSTRATION CENTERS FOR THE TRAINING OF DISLOCATED WORKERS.

(a) GENERAL AUTHORITY.—The Secretary is authorized to establish 1 or more demonstration centers for the retraining of dislocated workers. Such center or centers may provide for the recruitment of unemployed workers, vocational evaluation, assessment and counseling services, vocational and technical training, support services, and job placement assistance. The design and operation of each center shall provide for the utilization of appropriate existing Federal, State, and local programs.

"(b) EVALUATION.—The Secretary shall provide for the evaluation of each center established under subsection (a).

"(c) DISSEMINATION OF INFORMATION.—The Secretary shall disseminate information on successful retraining models developed by any center established under subsection (a) through dissemination programs operated by the Secretary and the Secretary of Labor.

"(d) ELIGIBLE ORGANIZATIONS.—Any private, nonprofit organization that is eligible to receive funding under the Job Training Partnership Act is eligible to receive funding under this section.

"SEC. 414. PROFESSIONAL DEVELOPMENT.

(a) TRAINING AND STUDY GRANTS.—(1) The Secretary is authorized to provide grants to institutions of higher education, State educational agencies, or State correctional education agencies to provide grants, awards, or stipends—

"(A) to individuals who are entering the field of vocational education;

"(B) for graduate training in vocational education;

"(C) for vocational teacher education; and

"(D) for attracting gifted and talented students in vocational programs into further study and professional development.

(2) Grants, awards, and stipends awarded under paragraph (1) shall provide—

"(A) opportunities for experienced vocational educators;

"(B) opportunities for—

"(i) certified teachers who have been trained to teach in other fields to become vocational educators, including teachers with skills related to vocational fields who can be trained as vocational educators, and especially minority instructors and instructors with experience in teaching individuals who are economically disadvantaged, individuals with handicaps, students of limited English proficiency, and adult and juvenile criminal offenders;

"(ii) individuals in industry who have skills and experience in vocational fields to be trained as vocational educators; and

"(iii) vocational educators to improve or maintain technological currency in their fields; and

"(C) opportunities for gifted and talented vocational education secondary and postsecondary students to intern with Federal or State agencies, nationally recognized vocational education associations and student organizations or the National Center or Centers for Research in Vocational Education.

"(b) LEADERSHIP DEVELOPMENT AWARDS.—(1) In order to meet the needs of all States for qualified vocational education leaders (such as administrators, supervisors, teacher educators, researchers, career guidance and vocational counseling personnel, vocational student organization leadership personnel and teachers in vocational education programs), the Secretary shall make grants to institutions of higher education for leadership development awards. Individuals selected for such awards shall—

"(A) have not less than 3 years of experience in vocational education or in industrial training, or, in the case of researchers, experience in social science research which is applicable to vocational education;

"(B) are currently employed or are reasonably assured of employment in vocational education and have successfully completed at least a baccalaureate degree program;

"(C) are recommended by their employer, or others, as having leadership potential in the field of vocational education and have been accepted for admission as a graduate student in a program of higher education approved by the Secretary; and

"(D) have made a commitment to return to the field of vocational education upon completion of education provided through the leadership development award.

"(2) For a period of not more than 3 years, stipends shall be paid to individuals selected for leadership development awards. Such stipends shall be paid (including allowances for tuition, nonrefundable fees, and other expenses for such individuals and their dependents) as may be determined to be consistent with prevailing practices.

"(3) The Secretary may provide grants to institutions for stipends to individuals, which shall not exceed $9,000 per individual per academic year or its equivalent and $3,000 per individual per summer session or its equivalent.

"(4) The Secretary shall approve the application of the vocational education program of an institution of higher education for the purposes of this section only upon finding that—

"(A) the institution offers a comprehensive program in vocational education with adequate supporting services and disciplines such as education administration, career guidance and vocational counseling, research, and curriculum development;

"(B) such program is designed to substantially advance the objective of improving vocational education through providing opportunities for graduate training of vocational teachers, supervisors, and administrators, and of university-level vocational education teacher educators and researchers; and

"(C) such programs are conducted by a school of graduate study in the institution of higher education.

"(5) The Secretary, in carrying out this subsection shall apportion leadership development awards to institutions of higher education equitably among the States, taking into account such factors as the State's vocational education enrollments and the need for additional vocational education personnel in the State.

"(6) Each individual who receives a leadership development award under this subsection shall receive payments as provided in

paragraph (2) for not more than a 3-year period during which such individual is—

"(A) pursuing a full-time course of study in vocational education in an approved institution of higher education;

"(B) maintaining satisfactory proficiency in such course of study; and

"(C) not engaged in gainful employment other than part-time employment by such institution in teaching, research, or similar activities.

"(c) VOCATIONAL EDUCATOR TRAINING FELLOWSHIPS.—(1) The purpose of this subsection is to provide fellowships—

"(A) to meet the need to provide adequate numbers of teachers and related classroom instructors in vocational education who are technologically current in their fields;

"(B) to take full advantage of the education which has been provided to already certified teachers who are unable to find employment in their fields of training and of individuals employed in industry who have skills and experience in vocational fields; and

"(C) to encourage more instructors from minority groups and teachers with skills and experience with individuals of limited English proficiency to become vocational education teachers.

"(2) The Secretary shall make available fellowships, in accordance with the provisions of this subsection, to individuals (especially minority instructors and instructors with experience in teaching individuals who are economically disadvantaged, individuals with disabilities, students of limited English proficiency, and adult and juvenile criminal offenders) who—

"(A)(i)(I) are employed in vocational education and need an opportunity to improve or maintain technological skills;

"(II) are certified by a State, or were so certified during the 10-year period preceding their application for a fellowship under this subsection, as teachers in secondary schools, area vocational education schools or institutes, or in community or junior colleges; and

"(III) have skills and experiences in vocational fields so that such individuals can be trained to be vocational educators; or

"(ii) are employed in agriculture, business, or industry (and may or may not hold a baccalaureate degree) and have skills and experience in vocational fields for which there is a need for vocational educators;

"(B) have been accepted in a program to become a vocational educator by an institution of higher education approved by the Secretary; and

"(C) have made a commitment to work in the field of vocational education upon completion of such program.

"(2) The Secretary shall, for a period of not more than 2 years, provide stipends to individuals who are awarded fellowships under this subsection (including such allowances for tuition, nonrefundable fees, subsistence and other expenses for such individuals and the dependents of such individuals) as the Secretary may determine to be consistent with prevailing practices.

"(3) The Secretary shall approve an institution of higher education under this subsection if—

"(A) the institution offers a comprehensive program in vocational education with adequate supporting services and disciplines such as education administration, career guidance and vocational counseling, research and curriculum development; and

"(B) such program is available to individuals receiving fellowships under this subsection so that such individuals receive the same quality of education and training provided for undergraduate students at such institution who are preparing to become vocational education teachers.

"(4) The Secretary shall apportion the fellowships available under this subsection equitably among the States, taking into account such factors as the State's vocational education enrollments, and the need in the State for additional vocational educators, especially minority educators and individuals with skills and experience in teaching individuals of limited English proficiency.

"(5) Individuals receiving fellowships under this subsection shall continue to receive payments provided in paragraph (2) only during such period as such individuals—

"(A) are maintaining satisfactory proficiency;

"(B) are devoting full time to study in the field of vocational education in an institution of higher education; and

"(C) are not engaging in gainful employment other than part-time employment by such institution.

"(6)(A) The Secretary shall, before the beginning of each fiscal year for which amounts are appropriated or otherwise made available to carry out this subsection, publish a listing of—

"(i) the areas of teaching in vocational education in need of additional personnel;

"(ii) the areas of teaching which will likely have need of additional personnel in the future; and

"(iii) areas of teaching in which technological upgrading may be especially critical.

"(B) The listing required by subparagraph (A) shall be based on information from the National Occupational Information Coordinating Committee, State occupational information coordinating committees, the vocational education data system established pursuant to section 421, and other appropriate sources.

"(7) In selecting recipients for fellowships under this subsection, the Secretary shall, to the maximum extent practicable, grant fellowships to individuals seeking to become teachers or improve their skills in the areas identified in the listing required by paragraph (6)(A).

"(d) INTERNSHIPS FOR GIFTED AND TALENTED STUDENTS.—(1) The purpose of this subsection is to provide stipends for internships to meet the need of attracting gifted and talented vocational education students into further study and professional development in the field of vocational education.

"(2)(A) The Secretary shall, from recommendations provided by State directors of vocational education, select gifted and talented students from vocational education secondary and postsecondary programs to work as interns for Federal and State agencies, nationally recognized vocational education associations, or the National Center or Centers for Research in Vocational Education. Each such

student shall receive a stipend for the period of the student's internship, which shall not exceed 9 months. Such stipend shall cover subsistence and other expenses for such individuals and shall be in such amount as the Secretary may determine to be consistent with prevailing practices.

"(B) Each individual selected under this paragraph shall have been recommended as gifted and talented by a vocational educator at the secondary or postsecondary school the student attends.

"(C) Each individual selected under this paragraph shall, during the period of such individual's internship, be provided with professional supervision by an individual qualified and experienced in the field of vocational education at the agency or institution at which the internship is offered.

"SEC. 415. BLUE RIBBON VOCATIONAL EDUCATION PROGRAMS.

"(a) INFORMATION DISSEMINATION.—The Secretary is authorized to disseminate information and exemplary materials regarding effective vocational education.

"(b) STANDARDS OF EXCELLENCE.—(1) The Secretary, in consultation with the National Center or Centers for Research in Vocational Education (in this section referred to as the 'National Center or Centers for Research'), the National Diffusion Network, and the Blue Ribbon Schools Program, is authorized to carry out programs to recognize secondary and postsecondary schools or programs which have established standards of excellence in vocational education and which have demonstrated a high level of quality. Such schools and programs shall be known as 'Blue Ribbon Vocational Programs'. The Secretary shall competitively select schools and programs to be recognized from among public and private schools or programs within the States and schools funded by the Department of the Interior.

"(2) In the case of a private school or vocational education program that is designated as a Blue Ribbon Vocational Education Program, the Secretary shall make suitable arrangements to provide the award to such school.

"(c) Awards.—(1) The Secretary, in consultation with the National Center or Centers for Research and the National Occupational Information Coordinating Committee (in this section referred to as the 'Committee'), is authorized to designate each fiscal year a category or several categories of vocational education, which may include tech-prep education, in which Blue Ribbon Vocational Education Program awards will be named. Such categories shall emphasize the expansion or strengthening of the participation of individuals who are members of special populations and may give special consideration to any of the following:

"(A) program improvement;

"(B) academic and occupational competencies; and

"(C) other categories determined by the Secretary in consultation with the National Center or Centers for Research and the Committee.

"(2) Within each category, the Secretary shall determine the criteria and procedures for selection. Selection for such awards shall be based solely on merit. Schools or programs selected for awards

under this section shall not be required to be representative of the States.

"(d) CONSULTATION.—(1) The Secretary shall carry out the provisions of this section, including the establishment of the selection procedures, after consultation with appropriate outside parties.

"(2) No award may be made under this section unless the local educational agency, area vocational education school, intermediate educational agency, tribal authority, Bureau of Indian Affairs, or appropriate State agency with jurisdiction over the school or program involved submits an application to the Secretary at such time, in such manner and containing such information as the Secretary may reasonably require.

"SEC. 416. DEVELOPMENT OF BUSINESS AND EDUCATION STANDARDS.

"(a) FINDINGS.—The Congress finds that, in order to meet the needs of business for competent entry-level workers who have received a quality vocational education, national standards should be developed for competencies in industries and trades.

"(b) GENERAL AUTHORITY.—(1) The Secretary, in consultation with the Secretary of Labor, is authorized to establish a program of grants to industrial trade associations, labor organizations, or comparable national organizations for purposes of organizing and operating business-labor-education technical committees.

"(2) The committees established with assistance under this section shall propose national standards for competencies in industries and trades. Such standards shall at least include standards for—

"(A) major divisions or specialty areas identified within occupations studied;

"(B) minimum hours of study to be competent in such divisions or specialty areas;

"(C) minimum tools and equipment required in such divisions or specialty areas;

"(D) minimum qualifications for instructional staff; and

"(E) minimum tasks to be included in any course of study purporting to prepare individuals for work in such divisions or specialty areas.

"(c) MATCHING REQUIREMENT.—Each recipient of a grant under this section shall agree to provide for the committee to be established under the grant an amount equal to the amount provided under the grant.

"(d) APPLICATION.—Any industrial trade association, labor organization, national joint apprenticeship committee, or comparable national organization that desires to receive a grant under this section shall submit to the Secretary an application at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

"SEC. 417. EDUCATIONAL PROGRAMS FOR FEDERAL CORRECTIONAL INSTITUTIONS.

"(a) PROGRAM AUTHORIZED.—The Secretary is authorized to make grants to Federal correctional institutions in consortia with educational institutions, community-based organizations of demonstrated effectiveness, or business and industry, to provide education and training for criminal offenders in such institutions.

"(b) Use of Funds.—Grants awarded pursuant to this section may be used for—

"(1) basic education programs with an emphasis on literacy instruction;

"(2) vocational training programs;

"(3) guidance and counseling programs; and

"(4) supportive services for criminal offenders, with special emphasis on the coordination of educational services with agencies furnishing services to criminal offenders after such offenders are released from correctional institutions.

"SEC. 418. DROPOUT PREVENTION.

"(a) Program Authorized.—The Secretary is authorized to make grants to partnerships between—

"(1) local educational agencies or area vocational education schools; and

"(2) institutions of higher education or public or private nonprofit organizations which have an established record of vocational education strategies that prevent students from dropping out of school.

"(b) Use of Funds.—Grants awarded under this section shall be used to develop, implement, and operate vocational education programs designed to prevent students from dropping out of school. Such programs shall—

"(1) serve special populations, including significant numbers of economically disadvantaged dropout-prone youth;

"(2) provide inservice training for teachers and administrators in dropout prevention; and

"(3) disseminate information relating to successful dropout prevention strategies and programs through the National Dropout Prevention Network and the Center on Adult, Career and Vocational Education of the Educational Resources Information Clearinghouse.

"(c) Priority.—In awarding grants under this section, the Secretary shall give priority to partnerships which—

"(1) provide the special support services necessary to help individual students successfully complete the program such as mentoring, basic skills education, and services which address barriers to learning; and

"(2) utilize measures to integrate basic and academic skills instruction with work experience and vocational education.

"SEC. 419. MODEL PROGRAMS OF REGIONAL TRAINING FOR SKILLED TRADES.

"(a) Program Authorized.—The Secretary is authorized to make grants to regional model centers which provide—

"(1) training for skilled tradesmen within a region serving several States, and

"(2) technical assistance for programs which train such tradesmen within a region serving several States.

"(b) Use of Funds.—The regional model centers described in subsection (a) shall—

"(1) provide training and career counseling for skilled tradesmen in areas of skill shortages or projected skilled shortages;

"(2) provide prejob and apprenticeship training and career counseling in skilled trades;

"(3) upgrade specialized craft training; and

"(4) improve the access of women, minorities, economically disadvantaged individuals, individuals with handicaps and ex-criminal offenders to trade occupations and training.

"(c) SPECIAL RULE.—In awarding grants under this section, and to the extent practicable, the Secretary shall ensure an equitable distribution of funds available under this section to the various skilled trades.

"SEC. 420. DEMONSTRATION PROJECTS FOR THE INTEGRATION OF VOCATIONAL AND ACADEMIC LEARNING.

"(a) PROGRAM AUTHORIZED.—The Secretary is authorized to make grants to institutions of higher education, area vocational education schools, local educational agencies, secondary schools funded by the Bureau of Indian Affairs, State boards, public or private nonprofit organizations, or any consortia thereof, to develop, implement and operate programs using different models of curricula which integrate vocational and academic learning by—

"(1) designing integrated curricula and courses;

"(2) providing inservice training for teachers and administrators in integrated curricula; and

"(3) disseminating information regarding effective integrative strategies to other school districts through the National Diffusion Network established under section 1562 of the Elementary and Secondary Education Act of 1965.

"(b) REQUIREMENTS RELATING TO GRANT AWARDS.—In awarding grants under this section, the Secretary shall ensure—

"(1) an equitable geographic distribution of funds awarded pursuant to this section;

"(2) that programs supported under this section offer significantly different approaches to integrating curricula;

"(3) that the programs supported under this section serve individuals who are members of special populations;

"(4) that programs supported under this section serve—

"(A) vocational students in secondary schools and at postsecondary institutions;

"(B) individuals enrolled in adult programs; and

"(C) single parents, displaced homemakers, and single pregnant women; and

"(5) that adequate evaluation measures will be employed to measure the effectiveness of the curriculum approaches supported under this section.".

"SEC. 420A. COOPERATIVE DEMONSTRATION PROGRAMS.

"(a) PROGRAM AUTHORIZED.—The Secretary is authorized to carry out, directly or through grants to or contracts with State and local educational agencies, postsecondary educational institutions, institutions of higher education, and other public and private agencies, organizations, and institutions, programs and projects which support—

"(1) model programs providing improved access to quality vocational education programs for those individuals described in *section 521(31) of this Act and for men and women seeking nontraditional occupations;*

"(2) examples of successful cooperation between the private sector and public agencies in vocational education, involving employers or consortia of employers or labor organizations and building trade councils, and State boards or eligible recipients designed to demonstrate ways in which vocational education and the private sector of the economy can work together effectively to assist vocational education students to attain the advanced level of skills needed to make the transition from school to productive employment, including—

"(A) work experience and apprenticeship programs;

"(B) transitional worksite job training for vocational education students which is related to their occupational goals and closely linked to classroom and laboratory instruction provided by an eligible recipient;

"(C) placement services in occupations which the students are preparing to enter;

"(D) where practical, projects (such as the rehabilitation of public schools or housing in inner cities or economically depressed rural areas) that will benefit the public; and

"(E) employment-based learning programs;";

"(3) programs to overcome national skill shortages, as designated by the Secretary in cooperation with the Secretary of Labor, Secretary of Defense, and Secretary of Commerce;

"(4) model programs described in section 312(b)(1), including child growth and development centers;

"(5) grants to community-based organizations in partnerships with local schools, institutions of higher education, and businesses for programs and projects that assist disadvantaged youths in preparing for technical and professional health careers (which partnerships should include in-kind contributions from such schools, institutions, and businesses and involve health professionals serving as preceptors and counselors); and

"(6) model programs providing improved access to vocational education programs through centers to be known as agriculture action centers, which programs shall be operated under regulations developed by the Secretary in consultation with the Secretary of Labor and—

"(A) shall assist—

"(i) individuals who are adversely affected by farm and rural economic downturns;

"(ii) individuals who are dislocated from farming; and

"(iii) individuals who are dislocated from agriculturally-related businesses and industries that are adversely affected by farm and rural economic downturns;

"(B) shall provide services, including—

"(i) crisis management counseling and outreach counseling that would include members of the family of the affected individual;

"(ii) evaluation of vocational skills and counseling on enhancement of such skills;

"(iii) assistance in obtaining training in basic, remedial, and literacy skills;

"(iv) assistance in seeking employment and training in employment-seeking skills; and

"(v) assistance in obtaining training related to operating a business or enterprise;

"(C) shall provide for formal and on-the-job training to the extent practicable; and

"(D) shall be coordinated with activities and discretionary programs conducted under title III of the Job Training Partnership Act.

"(b)(1) Projects described in clause (2) of subsection (a) may include institutional and on-the-job training, supportive services authorized by this Act, and such other necessary assistance as the Secretary determines to be necessary for the successful completion of the project.

"(2) Not less than 25 percent of the cost of the demonstration programs authorized by this subpart shall be provided by the recipient of the grant or contract, and such share may be in the form of cash or in-kind contributions, including facilities, overhead, personnel, and equipment fairly valued.

"(c) All programs assisted under this section shall be—

"(1) of direct service to individuals enrolled in such programs; and

"(2) capable of wide replication by service providers.

"(d) The Secretary shall disseminate the results of the programs and projects assisted under this section in a manner designed to improve the training of teachers, other instructional personnel, counsellors, and administrators who are needed to carry out the purposes of this Act.

SEC. 407. DATA SYSTEMS AUTHORIZED.

Section 421 of the Act (20 U.S.C. 2421) is amended to read as follows:

"SEC. 421. DATA SYSTEMS AUTHORIZED.

"(a) ESTABLISHMENT OF SYSTEM.—(1) The Secretary shall, directly, or by grant, contract or cooperative agreement, establish a vocational educational data system (in this section referred to as the 'system'), using comparative information elements and uniform definitions, to the extent practicable.

"(2) The Secretary shall establish the system not later than the end of the 6-month period beginning on the date of the enactment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990.

"(3) The National Center for Education Statistics (in this section referred to as the 'National Center') shall coordinate the development and implementation of the system.

"(b) FUNCTIONS OF SYSTEM.—Through the system, the Secretary shall collect data and analyze such data in order to provide—

"(1) the Congress with information relevant to policymaking; and

"(2) Federal, State, and local agencies and Tribal agencies with information relevant to program management, administra-

tion and effectiveness with respect to education and employment opportunities.

"(c) Contents of System.—(1)(A) The system shall include information—

"(i) describing the major elements of the vocational education system on at least a national basis, including information with respect to teachers, administrators, students, facilities, and, to the extent practicable, equipment; and

"(ii) describing the condition of vocational education with respect to the elements described in clause (i).

"(B) The information described in subparagraph (A) shall be provided, to the extent practicable, in the context of other educational data relating to the condition of the overall education system.

"(C) The Secretary, in consultation with the Task Force, the National Center, and the Office of Adult and Vocational Education (in this section referred to as the 'Office'), shall modify existing general purpose and program data systems to ensure that an appropriate vocational education component is included in the design, implementation and reporting of such systems in order to fulfill the information requirements of this section.

"(2) The information system shall include data reflecting the extent of participation of the following populations:

"(A) women;

"(B) Indians;

"(C) individuals with handicaps;

"(D) individuals of limited English proficiency;

"(E) economically disadvantaged students (including information on students in rural and urban areas);

"(F) adults who are in need of training and retraining;

"(G) single parents;

"(H) youths incarcerated in juvenile detention or correctional facilities or criminal offenders who are serving time in correctional institutions;

"(I) individuals who participate in programs designed to eliminate gender bias and sex stereotyping in vocational education;

"(J) minorities; and

"(K) displaced homemakers.

"(3) The Secretary, in consultation with the National Center and the Office, shall maintain and update the system at least every 3 years and assure the system provides the highest quality statistics and is adequate to meet the information needs of this Act. In carrying out the requirements of this paragraph, the Secretary shall ensure that appropriate methodologies are used in assessments of students of limited English proficiency and students with handicaps to ensure valid and reliable comparisons with the general student population and across program areas. With respect to standardized tests and assessments administered under this Act, test results shall be used as 1 of multiple independent indicators in assessment of performance and achievement.

"(d) Assessment of International Competitiveness.—The Center shall carry out an assessment of data availability and adequacy with respect to international competitiveness in vocational skills. To the extent practicable, the assessment shall include com-

parative policy-relevant data on vocational education in nations which are major trade partners of the United States. The assessment shall at a minimum identify available internationally comparative data on vocational education and options for obtaining and upgrading such data. The results of the assessment required by this paragraph shall be reported to the appropriate committees of the Congress not later than August 31, 1994.

"(e) USE OF AND COMPATIBILITY WITH OTHER DATA COLLECTION SYSTEMS.—(1) In establishing, maintaining, and updating the system, the Secretary shall—

"(A) use existing data collection systems operated by the Secretary and, to the extent appropriate, data collection systems operated by other Federal agencies;

"(B) conduct additional data collection efforts to augment the data collection systems described in subparagraph (A) by providing information necessary for policy analysis required by this section; and

"(C) use any independent data collection efforts that are complementary to the data collection efforts described in subparagraphs (A) and (B).

"(2) In carrying out the responsibilities imposed by this part, the Secretary shall cooperate with the Secretary of Commerce, the Secretary of Labor, and the National Occupational Information Coordinating Committee established under section 422 with respect to the development of an information system under section 463 of the Job Training Partnership Act to ensure that the information system operated under this section is compatible with and complementary to other occupational supply and demand information systems developed or maintained with Federal assistance. The Secretary shall also ensure that the system allows international comparisons to the extent feasible.

"(3) The Secretary shall assure that the system, to the extent practicable, uses data definitions common to State plans, performance standards, local applications and evaluations required by this Act. The data in the system shall be available for use in preparing such plans, standards, applications, and evaluations

"(f) REPORTS.—The Secretary shall report to the Congress at least biennially with respect to—

"(1) the performance of the system established under subsection (a); and

"(2) strategies to improve the system and expand its implementation.

"(g) VOCATIONAL EDUCATION ADVISORY TASK FORCE.—(1) The Secretary, in consultation with the National Center and the Office shall establish a Vocational Education Advisory Task Force.

"(2) The Secretary shall establish the Task Force before the expiration of the 90-day period beginning on the date of the enactment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990, and shall terminate upon the expiration of the 2-year period beginning on such date.

"(3) The Task Force shall advise the Secretary on the development and implementation of an information reporting and accounting system responsive to the diverse programs supported by this Act.

"(4) The membership of the Task Force shall be representative of Federal, State, and local agencies and Tribal agencies affected by technological information, representatives of secondary and vocational postsecondary educational institutions, representatives of vocational student organizations, representatives of special populations, representatives of adult training programs funded under this Act, and representatives of apprenticeships, business, and industry.

"(5) The National Center shall provide the Task Force with staff for the purpose of carrying out its functions.

"(h) ASSESSMENT OF EDUCATIONAL PROGRESS ACTIVITIES.—As a regular part of its assessments, the National Assessment of Educational Progress shall collect and report information for at least a nationally representative subsample of vocational education students, including students who are members of special populations, which shall allow for fair and accurate assessment and comparison of the educational achievement of vocational education students and other students in the areas assessed. Such assessment may include international comparisons.

SEC. 408. NATIONAL OCCUPATIONAL INFORMATION COORDINATING COMMITTEE.

(a) AMENDMENT TO HEADING.—The heading for section 422 of the Act is amended to read as follows:

"NATIONAL OCCUPATIONAL INFORMATION COORDINATING COMMITTEE".

(b) AMENDMENT TO TEXT.—Section 422 of the Act is amended—

(1) in subsection (a)—

(A) by inserting after "Coordinating Committee" the following: "(in this section referred to as the 'Committee')";

(B) by inserting after "Office of Bilingual Education and Minority Language Affairs," the following: "the Assistant Secretary for Postsecondary Education,";

(C) by striking "(Manpower, Reserve Affairs, and Logistics)" and inserting "(Force Management and Personnel)";

(D) in paragraph (2), by inserting before the semicolon the following: ", including regularly updated data on employment demand for agribusiness";

(E) in paragraph (3)—

(i) by striking "conduct studies on" and inserting the following: "conduct studies to improve the quality and delivery of occupational information systems to assist economic development activities, and examine"; and

(ii) by striking "and" at the end thereof;

(F) by redesignating paragraph (4) as paragraph (6); and

(G) by inserting after paragraph (3) the following new paragraphs:

"(4) continue training, technical assistance activities to support comprehensive career guidance, and vocational counseling programs designed to promote improved career decisionmaking by individuals (especially in areas of career information delivery and use);

"(5) coordinate the efforts of Federal, State, and local agencies and Tribal agencies with respect to such programs; and";

(2) by adding at the end the following new subsections:

"(c)(1)(A) The Committee, in consultation with the National Center or Centers for Research in Vocational Education, appropriate Federal agencies, and the States, shall establish a demonstration program to monitor educational outcomes for vocational education using wage and other records. The Committee shall develop procedures for establishing and maintaining nationally accessible information on a sample of wage and earning records maintained by States on earnings, establishment and industry affiliation and geographical location, and on educational activities. This information shall be collected on at least an annual basis. The program shall ensure that a scientific sample of vocational education students and nonvocational education students, local educational agencies, and States participate in the program. The Committee shall maintain, analyze, and report data collected under the program and shall provide technical assistance to States, local educational agencies, and others that wish to participate in the study.

"(B)(i) Participation in the program described in subparagraph (A) shall be voluntary. The Committee shall enter into an agreement with any State which desires to carry out a study for the State under this subsection. Each such agreement shall contain provisions designed to assure—

"(I) that the State will participate in the study;

"(II) that the State will pay from non-Federal sources the non-Federal share of participation; and

"(III) that the State agrees to the terms and conditions specified in this section.

"(ii) For each fiscal year, the non-Federal share for the purpose of this program shall be the cost of conducting the study in the State, including the cost of administering the assessment for the State sample and the cost of coordination within the State.

"(2) The program shall provide for an independent evaluation conducted by the Office of Technology Assessment of the Congress to assess the validity, fairness, accuracy, and utility of the data it produces. The report shall also describe the technical problems encountered and a description of what was learned about how to best implement and utilize data from the program.

"(3) The provision of wage and other records to the Committee by a State employment security agency shall be voluntary and pursuant to an agreement between the Committee and the agency. Such agreement shall take into consideration issues such as—

"(A) reimbursing the State employment security agency for the costs to the agency of providing the information; and

"(B) compliance with safeguards established by the State employment security agency and determined by the Secretary of Labor to be appropriate to ensure that the information disclosed to the Committee is used only for the purposes of this subsection.

"(4) The Executive Director of the Committee, in consultation with the Secretary, shall ensure that all personally identifiable information about students, their educational performance and their families and information with respect to individual schools shall remain confidential in accordance with the provisions of section 552 of title 5, United States Code. The data gathered under this subsection shall not be used to rank, compare, or otherwise evaluate indi-

vidual students or individual schools. No individual may be included in the program without that individual's written consent. At least once every 3 years the Secretary shall remind participants in writing of their inclusion in the program.

"(d) Of amounts reserved under section §451(a)(3)(A) to carry out the provisions of this section, the Committee shall use—

"(1) to support State occupational information coordinating committees for the purpose of operating State occupational information systems and career information delivery systems, the greater of—

"(A) an amount equal to the aggregate amount appropriated or otherwise made available for that purpose for the fiscal year 1990; or

"(B) an amount equal to 75 percent of the aggregate amount appropriated or otherwise made available to carry out this section; and

"(2) for purposes of carrying out subsection (c)—

"(A) an amount equal to not less than 10 percent of the amounts available to carry out this section; or

"(B) if the amount remaining after carrying out paragraph (1) is insufficient to provide the amount described in subparagraph (A), such remaining amount.".

SEC. 409. INFORMATION BASE FOR VOCATIONAL EDUCATION DATA SYSTEM.

Section §423 of the Act is amended to read as follows:

"SEC. 423. INFORMATION BASE FOR VOCATIONAL EDUCATION DATA SYSTEM.

"(a) INFORMATION RELATING TO STUDENTS WITH HANDICAPS.—(1) The Secretary shall ensure that adequate information on access to vocational education by secondary school students with handicaps is maintained in the data system established under section §421.

"(2) The system shall include detailed information obtained through scientific sample surveys concerning—

"(A) types of programs available; and

"(B) enrollment of students with handicaps by—

"(i) type of program;

"(ii) type of instructional setting; and

"(iii) type of handicap.

"(3)(A) The General Accounting Office shall conduct a 3-year study, using representative samples, of the effects of the amendments made by title II of the Carl D. Perkins Vocational and Applied Technology Education Amendments of 1990 on the access to and participation in vocational education of disadvantaged students, students with handicaps, students of limited English proficiency, and, to the extent practicable, foster children.

"(B) The study shall include consideration of issues such as—

"(i) the proportion of students described in paragraph (1) who are enrolled in vocational education programs during the first 3 program years to which the amendments made by the Carl D. Perkins Vocational and Applied Technology Education Amendments Act of 1990 apply compared to the program year preceding such years;

"(ii) the number of such students who enroll in vocational education programs for the first time during the period of study;

"(iii) the number of such students who participate in vocational education programs that lead to an occupational skill or job placement;

"(iv) the extent to which academics are incorporated with vocational education courses;

"(v) the manner in which vocational education programs have addressed special needs of such students for supportive services, material, and equipment;

"(vi) the comparability of vocational education services provided to such students with vocational education services provided to students who are not members of special populations; and

"(vii) in the case of students with handicaps—

"(I) the types and severity of handicaps of such students who enroll in vocational education programs;

"(II) the extent to which such students participate in the same vocational education programs as students who do not have handicaps;

"(III) the number of such students with individualized education programs developed under section 614(a)(5) of the Education of the Handicapped Act who have individualized education programs that include vocational education programs;

"(IV) the extent to which special personnel such as special education personnel or vocational rehabilitation personnel assist in the selection and provision of vocational education programs with respect to such students;

"(V) the extent to which such students and their parents are involved in selecting vocational education courses and programs;

"(VI) the number of such students who have returned to secondary vocational education programs after dropping out of or formally exiting the local educational system; and

"(VII) the ages of such students.

"(C) In conducting the study required by this subsection, the General Accounting Office may consider and include information from other sources to address or augment the issues considered in the study.

"(4) The General Accounting Office shall submit to the appropriate committees of the Congress a report describing the results of the study conducted as required by this subsection not later than July 1, 1995.

"(b) Information Relating to Students Who Have Completed Secondary School.—(1) To carry out the provisions of this section, in accordance with the provisions of section 3 of the Technology Assessment Act of 1972, the Office of Technology Assessment shall conduct an assessment of a sample of tests designed to be administered to students who have completed secondary school to assess the level

of technical knowledge relating to broad technical fields possessed by such students. The assessment shall include at least—

"(A) an assessment of the quality, validity, reliability, and predictive capability of widely used vocational aptitude and competency tests and assessments, with particular attention to—

"(i) the use of such assessments with respect to students who are members of special populations; and

"(ii) patterns of actual usage with respect to entry into vocational education programs, promotion within such programs, completion of such programs, and placement in appropriate positions;

"(B) identification of trends in such tests and assessments, including any relationship to vocational education curricula; and

"(C) identification of policy options for—

"(i) strengthening development and quality of such tests and assessments to ensure that such tests and assessments are conducted in an impartial manner that does not penalize students on the basis of race, sex, or economic background; and

"(ii) means of sustaining competition in the development of such tests and assessments.

"(2) The results of the study required by paragraph (1) shall be reported to the appropriate committees of the Congress not later than September 30, 1994.".

SEC. 410. MISCELLANEOUS PROVISIONS.

Part C of title IV of the Act is amended by adding at the end the following new section:

"SEC. 424. MISCELLANEOUS PROVISIONS.

"(a) Collection of Information at Reasonable Cost.—The Secretary shall take such action as may be necessary to secure at reasonable cost the information required by this part. To ensure reasonable cost, the Secretary, in consultation with the Vocational Education Task Force, the National Center for Education Statistics, the Office of Vocational and Adult Education, and the National Occupational Information Coordinating Committee shall determine the methodology to be used and the frequency with which information is to be collected.

"(b) Cooperation of States.—All States receiving assistance under this Act shall cooperate with the Secretary in implementing the information systems developed pursuant to this part.".

SEC. 411. REPEAL OF NATIONAL COUNCIL ON VOCATIONAL EDUCATION.

(a) In General.—Part D of title IV of the Act (20 U.S.C. 2431) is repealed.

(b) Clerical Amendment.—The table of contents contained in section 1 of the Act (20 U.S.C. 2301 note) is amended by striking the items relating to part D and to section 431.

(c) Effective Date.—The amendments made by subsections (a) and (b) shall take effect on October 1, 1991.

SEC. 412. GENERAL PROVISIONS.

Section 451 of the Act is amended to read as follows:

"SEC. 451. DISTRIBUTION OF ASSISTANCE.

"(a) IN GENERAL.—Subject to the provisions of subsection (b) and section 504, of the amounts available pursuant to section 3(e)(1) for any fiscal year for this title—

"(1) 30 percent shall be available for part A, relating to research and development, of which 90 percent shall be available for section 404, relating to the National Center or Centers;

"(2) 30 percent shall be available for part B, relating to demonstration programs; and

"(3) 40 percent shall be available for part C, relating to vocational education and occupational information data systems, of which not less than—

"(A) 22 percent of the total amount appropriated pursuant to the authority of section 3(e) shall be available to carry out section 422, relating to the National Occupational Information Coordinating Committee;

"(B) 8 percent shall be available to carry out the provisions of section 421, relating to data systems; and

"(C) 10 percent shall be available to carry out the provisions of section 402(c), relating to the National Network for Curriculum Coordination.

"(b) HOLD HARMLESS.—Notwithstanding the provisions of subsection (a), the amounts available to carry out the activities described in subsection (a)(1) and in subsections (a)(3)(A) and (a)(3)(C) shall be at least equal to the amounts made available for such activities in the fiscal year 1990.".

TITLE V—GENERAL PROVISIONS

SEC. 501. FEDERAL ADMINISTRATIVE PROVISIONS.

(a) ELIMINATION OF MATCHING REQUIREMENTS AND TRANSFER OF STATE PROVISION.—(1) Sections 502, 504, and 505 of the Act (20 U.S.C. 2462, 2465, 2466) are repealed.

(2) Sections 503 and 506 of the Act (20 U.S.C. 2463, 2466) are redesignated as sections 502 and 503, respectively.

(b) MAINTENANCE OF EFFORT.—The first sentence of section 502(b) of the Act (as redesignated by subsection (a)(2) of this section) is amended by inserting after "this section" the following: "(with respect to not more than 5 percent of expenditures by any State educational agency)".

(c) ADDITIONAL ADMINISTRATIVE PROVISIONS.—Title V of the Act (20 U.S.C. 2461 et seq.) is amended—

(1) by redesignating part B as part C; and

(2) by inserting after section 503 the following:

"SEC. 504. REGIONAL MEETINGS AND NEGOTIATED RULEMAKING.

"(a) IN GENERAL.—(1) The Secretary shall convene regional meetings to obtain public involvement in the development of proposed regulations under the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990. Such meetings shall include individuals and representatives of groups involved in vocational education programs under this Act, such as Federal, State, tribal and local administrators, parents, teachers, members of local boards of education and special populations.

"(2) During each meeting described in paragraph (1), the Secretary shall provide for a comprehensive discussion and exchange of information on at least 4 key issues, selected by the Secretary, concerning implementation of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990. The Secretary shall take into account information received at such meetings in the development of proposed regulations, and shall publish a summary of such information in the Federal Register together with such proposed regulations.

"(b) DRAFT REGULATIONS.—After holding regional meetings and before publishing proposed regulations in the Federal Register, the Secretary shall prepare draft regulations under this Act and submit regulations on at least 2 key issues to a negotiated rulemaking process. The Secretary shall follow the guidance provided in the Administrative Conference of the United States in Recommendation 82-4 and 85-5, 'Procedures for Negotiating Proposed Regulations' (1 C.F.R. 305.82-4 and 85-5) and any successor recommendation, regulation, or law. Participants in the negotiation process shall be chosen by the Secretary from among participants in the regional meetings, representing the groups described in subsection (a)(1) and all geographic regions. At least 10 participants, 1 from each of the regions served by a regional office established pursuant to section 416 of the Department of Education Organization Act, representing the groups described in subsection (a)(1), shall be chosen under the preceding sentence. The negotiation process shall be conducted in a timely manner in order that final regulations may be issued by the Secretary within the 240-day period required by section 431(g) of the General Education Provisions Act.

"(c) SPECIAL RULE.—If a regulation must be issued within a very limited time period to assist States and eligible recipients with the operation of a program under this Act, the Secretary may issue a regulation without fulfilling the requirements of subsections (a) and (b), but shall immediately convene regional meetings to review the regulation before such regulation is issued in final form.

"(d) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act shall not apply to activities carried out under this section.

"(e) RESERVATION OF AMOUNTS.—For the fiscal year 1991, the Secretary may reserve for purposes of carrying out subsection (b) not more than $300,000 from amounts made available under section 3(e).

"SEC. 505. REQUIREMENTS RELATING TO REPORTS, PLANS, AND REGULATIONS.

"The General Accounting Office shall, upon the request of any Member of the Congress—

"(1) investigate the circumstances of any failure by the Secretary to submit any report or research finding or issue any regulation required by this Act by the time specified in the provision of this Act requiring the submission of such report or research finding or issuance of such regulation; and

"(2) submit to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate a report containing the results

of any investigation conducted pursuant to paragraph (1), including an identification of the cause of delay and of the office or offices of the Department of Education or of the Office of Management and Budget responsible for the delay.

"SEC. 506. FEDERAL LAWS GUARANTEEING CIVIL RIGHTS.

"Nothing in this Act shall be construed to be inconsistent with appropriate Federal laws guaranteeing civil rights.

"SEC. 507. STUDENT ASSISTANCE AND OTHER FEDERAL PROGRAMS.

"(a) Attendance Costs Not Treated as Income or Resources.—The portion of any student financial assistance received under this Act that is made available for attendance costs described in subsection (b) shall not be considered as income or resources in determining eligibility for assistance under any other program funded in whole or in part with Federal funds.

"(b) Attendance Costs.—The attendance costs described in this subsection are—

"(1) tuition and fees normally assessed a student carrying the same academic workload as determined by the institution, and including costs for rental or purchase of any equipment, materials, or supplies required of all students in the same course of study; and

"(2) an allowance for books, supplies, transportation, dependent care, and miscellaneous personal expenses for a student attending the institution on at least a half-time basis, as determined by the institution.

"SEC. 508. FEDERAL MONITORING.

"The Secretary shall make every effort to provide adequate monitoring of compliance by recipients of assistance under this Act with the provisions of this Act. Such monitoring activities shall be developed by the Secretary in consultation with parents, students, and advocacy organizations, and shall—

"(1) consider items such as whether the provisions of the State plan are being fully implemented;

"(2) consider items such as whether the State board's monitoring of local recipients of assistance under this Act is adequate to assure full compliance with the provisions of this Act by such recipients;

"(3) consider items such as whether the State-level coordinators for individuals who are members of special populations are able to review the local plans for serving such individuals;

"(4) consider items such as whether the other State responsibilities under this Act are being implemented; and

"(5) provide for input from students, parents, teachers, and special populations in the States.

"PART B—STATE ADMINISTRATIVE PROVISIONS

"SEC. 511. JOINT FUNDING.

"(a) General Authority.—Funds made available to States under this Act may be used to provide additional funds under an applicable program if—

"(1) such program otherwise meets the requirements of this Act and the requirements of the applicable program;

"(2) such program serves the same individuals that are served under this Act;

"(3) such program provides services in a coordinated manner with services provided under this Act; and

"(4) such funds would be used to supplement, and not supplant, funds provided from non-Federal sources.

"(b) Applicable Programs.—For the purposes of this section, the term 'applicable program' means any program under any of the following provisions of law:

"(1) Section 123, title II, and title III of the Job Training Partnership Act.

"(2) The Wagner-Peyser Act.

"(c) Issuance of Regulations.—Notwithstanding the provisions of section 504, the Secretary shall develop regulations to be issued under this section in consultation with the Secretary of Labor.

"(d) Use of Funds as Matching Funds.—For the purposes of this section, the term 'additional funds' includes the use of funds as matching funds.

"SEC. 512. REVIEW OF REGULATIONS.

"(a) Establishment of Review Committee.—Except as provided in subsection (b), before any State publishes any proposed or final state rule or regulation pursuant to this Act, the State shall establish and convene a State Committee of Practitioners (in this section referred to as the 'Committee') for the purpose of reviewing such rule or regulation. The Committee shall be selected from nominees solicited from State organizations representing school administrators, teachers, parents, members of local boards of education, and appropriate representatives of institutions of higher education. The Committee shall consist of—

"(1) representatives of local educational agencies, who shall constitute a majority of the members of the Committee;

"(2) school administrators;

"(3) teachers;

"(4) parents;

"(5) members of local boards of education;

"(6) representatives of institutions of higher education; and

"(7) students.

"(b) Limited Exception.—In an emergency, where a regulation must be issued within a very limited time period to assist eligible recipients with the operation of a program, the State may issue a regulation without fulfilling the requirements of subsection (a), but shall immediately convene the Committee to review the regulation before it is issued in final form.

"SEC. 513. IDENTIFICATION OF STATE-IMPOSED REQUIREMENTS.

"Any State rule or policy imposed on the administration or operation of programs funded by this Act, including any rule or policy based on State interpretation of any Federal law, regulation, or guideline, shall be identified as a State imposed requirement.

"SEC. 514. PROHIBITION ON USE OF FUNDS TO INDUCE OUT-OF-STATE RELOCATION OF BUSINESSES.

"No funds provided under this Act shall be used for the purpose of directly providing incentives or inducements to an employer to relocate a business enterprise from 1 State to another State if such relocation would result in a reduction in the number of jobs available in the State where the business enterprise is located before such incentives or inducements are offered.

"SEC. 515. STATE ADMINISTRATIVE COSTS.

"For each fiscal year for which a State receives assistance under this Act, the State shall provide from non-Federal sources for costs the State incurs for administration of programs under this Act an amount that is not less than the amount provided by the State from non-Federal sources for such costs for the preceding fiscal year.

"SEC. 516. ADDITIONAL ADMINISTRATIVE PROVISIONS.

"(a) In General.—(1)(A) Funds made available under title II shall be used to supplement, and to the extent practicable increase the amount of State and local funds that would in the absence of such Federal funds be made available for the uses specified in the application, and in no case supplant such State or local funds.

"(B) Notwithstanding subparagraph (A), funds made available under title II may be used to pay for the costs of vocational education services required in an individualized education plan developed pursuant to sections 612(4) and 614(a)(5) of the Education of the Handicapped Act, in a manner consistent with section 614(a)(1) of such Act, and services necessary to meet the requirements of section 504 of the Rehabilitation Act of 1973 with respect to ensuring equal access to vocational education.

"(2) No State shall take into consideration payments under this Act in determining, for any educational agency or institution in that State, the eligibility for State aid, or the amount of State aid, with respect to public education within the State.

"(b) Limitation.—Any project assisted with funds made available under title II shall be of sufficient size, scope, and quality to give reasonable promise of meeting the vocational education needs of the students involved in the project.

"(c) Permissible Services and Activities.—(1) Vocational education services and activities authorized in title II may include work-site programs such as cooperative vocational education, programs with community-based organizations, work-study, and apprenticeship programs.

"(2) Vocational education services and activities described in title II may include placement services for students who have successfully completed vocational education programs.

"(3) Vocational education services and activities described in title II may include programs which involve students in addressing the needs of the community in the production of goods or services which contribute to the community's welfare or which involve the students with other community development planning, institutions, and enterprises.

"(d) Academic Credit.—Each State board receiving financial assistance under title II may consider granting academic credit for vo-

cational education courses which integrate core academic competencies.

SEC. 502. DEFINITIONS.

Section 521 of the Act is amended to read as follows:

"SEC. 521. DEFINITIONS.

"As used in this Act:

"(1) The term 'administration' means activities of a State necessary for the proper and efficient performance of its duties under this Act, including supervision, but does not include curriculum development activities, personnel development, or research activities.

"(2) The term 'all aspects of the industry' means strong experience in, and understanding of, all aspects of the industry the students are preparing to enter, including planning, management, finances, technical and production skills, underlying principles of technology, labor issues, and health and safety.

"(3) The term 'apprenticeship training program' means a program registered with the Department of Labor or the State apprenticeship agency in accordance with the Act of August 16, 1937, commonly known as the National Apprenticeship Act, which is conducted or sponsored by an employer, a group of employers, or a joint apprenticeship committee representing both employers and a union, and which contains all terms and conditions for the qualification, recruitment, selection, employment, and training of apprentices.

"(4) The term 'area vocational education school' means—

"(A) a specialized high school used exclusively or principally for the provision of vocational education to individuals who are available for study in preparation for entering the labor market;

"(B) the department of a high school exclusively or principally used for providing vocational education in not less than 5 different occupational fields to individuals who are available for study in preparation for entering the labor market;

"(C) a technical institute or vocational school used exclusively or principally for the provision of vocational education to individuals who have completed or left high school and who are available for study in preparation for entering the labor market; or

"(D) the department or division of a junior college, community college or university operating under the policies of the State board and which provides vocational education in not less than 5 different occupational fields leading to immediate employment but not necessarily leading to a baccalaureate degree, if, in the case of a school, department, or division described in subparagraph (C) or this subparagraph, it admits as regular students both individuals who have completed high school and individuals who have left high school.

"(5) The term 'career guidance and counseling' means programs—

"(A) which pertain to the body of subject matter and related techniques and methods organized for the development in individuals of career awareness, career planning, career decisionmaking, placement skills, and knowledge and understanding of local, State, and national occupational, educational, and labor market needs, trends, and opportunities; and

"(B) which assist such individuals in making and implementing informed educational and occupational choices.

"(6) The term 'community-based organization' means any such organization of demonstrated effectiveness described in section 4(5) of the Job Training Partnership Act.

"(7) The term 'construction' includes construction of new buildings and acquisition, and expansion, remodeling, and alternation of existing buildings, and includes site grading and improvement and architect fees.

"(8) The term 'cooperative education' means a method of instruction of vocational education for individuals who, through written cooperative arrangements between the school and employers, receive instruction, including required academic courses and related vocational instruction by alternation of study in school with a job in any occupational field. Such alternation shall be planned and supervised by the school and employers so that each contributes to the student's education and to his or her employability. Work periods and school attendance may be on alternate half days, full days, weeks, or other periods of time in fulfilling the cooperative program.

"(9) The term 'criminal offender' means any individual who is charged with or convicted of any criminal offense, including a youth offender or a juvenile offender.

"(10) The term 'correctional institution' means any—

"(A) prison,

"(B) jail,

"(C) reformatory,

"(D) work farm,

"(E) detention center, or

"(F) halfway house, community-based rehabilitation center, or any other similar institution designed for the confinement or rehabilitation of criminal offenders.

"(11) The term 'Council' means the National Council on Vocational Education.

"(12) The term 'curriculum materials' means instructional and related or supportive material, including materials using advanced learning technology, in any occupational field which is designed to strengthen the academic foundation and prepare individuals for employment at the entry level or to upgrade occupational competencies of those previously or presently employed in any occupational field, and appropriate counseling and guidance material.

"(13) The term 'disadvantaged' means individuals (other than individuals with handicaps) who have economic or academic disadvantages and who require special services and assistance in order to enable such individuals to succeed in vocational education programs. Such term includes individuals who are *members of economically disadvantaged families, migrants, individuals of limited English proficiency and individuals who are dropouts from, or who are identified as potential dropouts from, secondary school.*

"(14) The term 'displaced homemaker' means an individual who—

"(A) is an adult; and

"(B)(i) has worked as an adult primarily without remuneration to care for the home and family, and for that reason has diminished marketable skills;

"(ii) has been dependent on public assistance or on the income of a relative but is no longer supported by such income;

"(iii) is a parent whose youngest dependent child will become ineligible to receive assistance under the program for aid to families with dependent children under part A of title IV of the Social Security Act within 2 years of the parent's application for assistance under this Act; or

"(iv) is unemployed or underemployed and is experiencing difficulty in obtaining any employment or suitable employment, as appropriate, or

"(C) is described in subparagraph (A) or (B) and is a criminal offender.

The Secretary may not prescribe the manner in which the States will comply with the application of the definition contained in this paragraph.

"(15) The term 'economically disadvantaged family or individual' means such families or individuals who are determined by the Secretary to be low-income according to the latest available data from the Department of Commerce.

"(16) Except as otherwise provided, the term 'eligible recipient' means a local educational agency, an area vocational education school, an intermediate educational agency, a postsecondary educational institution, a State corrections educational agency, or an eligible institution (as such term is defined in section 232(d)(1)).

"(17) The term 'general occupational skills' means experience in and understanding of all aspects of the industry the student is preparing to enter, including planning, management, finances, technical and production skills, underlying principles of technology, labor and community issues, and health, safety, and environmental issues.

"(18) The term 'high technology' means state-of-the-art computer, microelectronic, hydraulic, pneumatic, laser, nuclear, chemical, telecommunication, and other technologies being used to enhance productivity in manufacturing, communication, transportation, agriculture, mining, energy, commercial, and similar economic activity, and to improve the provision of health care.

"(19) The term 'individual with handicaps' means any individual who is an individual with any disability (as defined in section 3(2) of the Americans With Disabilities Act of 1990).

"(20) The term 'intermediate educational agency' means a combination of school districts or counties (as defined in section 1471(5) of the Elementary and Secondary Education Act of 1965) as are recognized in a State as an administrative agency for such State's vocational or technical education schools or for vocational programs within its public elementary or secondary schools. Such term includes any other public institution or agency having administrative control and direction over a public elementary or secondary school.

"(21) The term 'limited English proficiency' has the meaning given such term in section 703(a)(1) of the Elementary and Secondary Education Act of 1965.

"(22) The term 'local educational agency' means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State, or any other public educational institution or agency having administrative control and direction of a vocational education program. For the purposes of sections 114, 115, 116, 117, and 240, such term shall include a State corrections educational agency.

"(23) The term 'postsecondary educational institution' means an institution legally authorized to provide postsecondary education within a State, a Bureau of Indian Affairs controlled postsecondary institution, or any postsecondary educational institution operated by or on behalf of any Indian tribe which is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination Act or under the Act of April 16, 1934.

"(24) the term 'preparatory services' means services, programs, or activities designed to assist individuals who are not enrolled in vocational education programs in the selection of, or preparation for participation in, an appropriate vocational education or training program, such as—

"(A) services, programs, or activities related to outreach to or recruitment of potential vocational education students;

"(B) career counseling and personal counseling;

"(C) vocational assessment and testing; and

"(D) other appropriate services, programs, or activities;

"(25) The term 'private vocational training institution' means a business or trade school, or technical institution or other technical or vocational school, in any State, which—

"(A) admits as regular students only persons who have completed or left elementary or secondary school and who have the ability to benefit from the training offered by such institution;

"(B) is legally authorized to provide, and provides within that State, a program of postsecondary vocational or technical education designed to fit individuals for useful employment in recognized occupations;

"(C) has been in existence for 2 years or has been specially accredited by the Secretary as an institution meeting the other requirements of this subsection; and

"(D) is accredited—

"[illegible] a nationally recognized accrediting agency or association listed by the Secretary pursuant to this clause;

"(ii) if the Secretary determines that there is no nationally recognized accrediting agency or association qualified to accredit schools of a particular category, by a State agency listed by the Secretary pursuant to this clause; or

"(iii) if the Secretary determines that there is no nationally recognized or State agency or association qualified to accredit schools of a particular category, by an advisory committee appointed by the Secretary and composed of persons specially qualified to evaluate training provided by schools of that category, which committee shall prescribe the standards of content, scope, and quality which must be met by those schools and shall also determine whether particular schools meet those standards.

For the purpose of this paragraph, the Secretary shall publish a list of nationally recognized accrediting agencies or associations and State agencies which the Secretary determines to be reliable authority as to the quality of education or training afforded.

"(26) The term 'school facilities' means classrooms and related facilities (including initial equipment) and interests in lands on which such facilities are constructed. Such term shall not include any facility intended primarily for events for which admission is to be charged to the general public.

"(27) The term 'Secretary' means the Secretary of Education.

"(28) The term 'small business' means for-profit enterprises employing 500 or fewer employees.

"(29) the term 'sequential course of study' means an integrated series of courses which are directly related to the educational and occupational skills preparation of individuals for jobs, or preparation for postsecondary education.

"(30) The term 'single parent' means an individual who—

"(A) is unmarried or legally separated from a spouse; and

"(B)(i) has a minor child or children for which the parent has either custody or joint custody; or

"(ii) is pregnant.

"(31) The term 'special populations' includes individuals with handicaps, educationally and economically disadvantaged individuals (including foster children), individuals of limited English proficiency, individuals who participate in programs designed to eliminate sex bias, and individuals in correctional institutions.

"(32) The term 'specific job training' means training and education for skills required by the employer that provides the individual student with the ability to obtain employment and to adapt to the changing demands of the workplace.

"(33) The term 'State' includes, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern

Mariana Islands, and Palau (until the Compact of Free Association with Palau takes effect pursuant to section 101(a) of Public Law 99-658).

"(34) The term 'State board' means a State board designated or created by State law as the sole State agency responsible for the administration of vocational education, or for supervision of the administration of vocational education in the State.

"(35) the term 'State corrections educational agency' means the State agency or agencies responsible for carrying out corrections education programs in the State.

"(36) The term 'State council' means the State council on vocational education established in accordance with section 112.

"(37) The term 'State educational agency' means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary or secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

"(38) The term 'supplementary services' means curriculum modification, equipment modification, classroom modification, supportive personnel, and instructional aids and devices.

"(39) the term 'technology education' means an applied discipline designed to promote technological literacy which provides knowledge and understanding of the impacts of technology including its organizations, techniques, tools and skills to solve practical problems and extend human capabilities in areas such as construction, manufacturing, communication, transportation, power and energy.

"(40) The term 'tribally controlled community college' means an institution which receives assistance under the Tribally Controlled Community College Assistance Act of 1976 or the Navajo Community College Act.

"(41) The term 'vocational education' means organized educational programs offering a sequence of courses which are directly related to the preparation of individuals in paid or unpaid employment in current or emerging occupations requiring other than a baccalaureate or advanced degree. Such programs shall include competency-based applied learning which contributes to an individual's academic knowledge, higher-order reasoning, and problem-solving skills, work attitudes, general employability skills, and the occupational-specific skills necessary for economic independence as a productive and contributing member of society. Such term also includes applied technology education.

"(42) The term 'vocational student organizations' means those organizations for individuals enrolled in vocational education programs which engage in activities as an integral part of the instructional program. Such organizations may have State and national units which aggregate the work and purposes of instruction in vocational education at the local level.

TITLE VI—MISCELLANEOUS

PART A—CORRECTIONAL EDUCATION

SEC. 601. SHORT TITLE.

This title may be cited as the "Office of Correctional Education Act of 1990."

SEC. 602. CORRECTIONAL EDUCATION.

(a) IN GENERAL.—Title II of the Department of Education Organization Act is amended by—

(1) repealing section 213;

(2) redesignating section 214 as section 215; and

(3) inserting the following new section 214 after section 212:

"OFFICE OF CORRECTIONAL EDUCATION

"SEC. 214. (a) FINDINGS.—The Congress finds and declares that—

"(1) education is important to, and makes a significant contribution to, the readjustment of incarcerated individuals to society; and

"(2) there is a growing need for immediate action by the Federal Government to assist State and local educational programs for criminal offenders in correctional institutions.

"(b) STATEMENT OF PURPOSE.—It is the purpose of this title to encourage and support educational programs for criminal offenders in correctional institutions.

"(c) ESTABLISHMENT OF OFFICE.—The Secretary of Education shall establish within the Department of Education an Office of Correctional Education.

"(d) FUNCTIONS OF OFFICE.—The Secretary, through the Office of Correctional Education established under subsection (a) of this section, shall—

"(1) coordinate all correctional education programs within the Department of Education;

"(2) provide technical support to State and local educational agencies and schools funded by the Bureau of Indian Affairs on correctional education programs and curricula;

"(3) provide an annual report to the Congress on the progress of the Office of Correctional Education and the status of correctional education in the United States;

"(4) cooperate with other Federal agencies carrying out correctional education programs to ensure coordination of such programs;

"(5) consult with, and provide outreach to, State directors of correctional education and correctional educators; and

"(6) collect from States a sample of information on the number of individuals who complete a vocational education sequence, earn a high school degree or general equivalency diploma, or earn a postsecondary degree while incarcerated and the correlation with job placement, job retention, and recidivism.

"(e) DEFINITIONS.—As used in this section—

"(1) the term 'criminal offender' means any individual who is charged with or convicted of any criminal offense, including a youth offender or a juvenile offender;

"(2) the term 'correctional institution' means any—

"(A) prison,

"(B) jail,

"(C) reformatory,

"(D) work farm,

"(E) detention center, or

"(F) halfway house, community-based rehabilitation center, or any other similar institution designed for the confinement or rehabilitation of criminal offenders; and

"(3) the term 'State educational agency' means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.".

(b) CLERICAL AMENDMENTS.—The table of contents contained in section 1 of the Department of Education Organization Act is amended by striking the items relating to sections 213 and 214 and inserting the following:

"Sec. 214. Office of Correctional Education.
"Sec. 215. Federal Interagency Committee on Education.".

PART B—MISCELLANEOUS PROVISIONS

SEC. 811. STUDY OF THE DUAL SYSTEM OF VOCATIONAL EDUCATION IN THE FEDERAL REPUBLIC OF GERMANY.

(a) GENERAL AUTHORITY.—The General Accounting Office (in this section referred to as the "Office") shall conduct a thorough study of the Dual System of Vocational Education in the Federal Republic of Germany, including an analysis of the desirability, advantages, and disadvantages of establishing a nationwide job apprenticeship program in the United States similar to the Dual System of Vocational Education in the Federal Republic of Germany.

(b) CONTENTS.—In studying the West German Dual System of Vocational Education, the Office shall assess—

(1) the ability of such a system to prepare workers for the technical workplace;

(2) the level of academic skills an apprentice in the Dual System acquires;

(3) the effectiveness of combining on-the-job training with classroom instruction;

(4) the participation in apprenticeships by gender and minority status;

(5) the dropout rate of West German students;

(6) the construction and oversight of skill certification tests;

(7) the unemployment rate and relative wage levels of former participants;

(8) the labor mobility of apprentices;

(9) whether such a system has helped West Germany maintain a competitive workforce and a competitive edge in the world economy;

(10) the value and productivity of apprentices to business; and

(11) the direct and indirect costs and benefits to the country, industry, company, and individual that result from the Dual System of Vocational Education.

(c) Factors to Be Considered.—In assessing the ability of a similar program to be replicated in the United States, the Office shall evaluate such factors as—

(1) existing job apprenticeship programs and their ability to prepare workers for the technical workplace;

(2) the future need for skilled workers and the extent to which job apprenticeship programs could meet such future workforce needs;

(3) the appropriate age or grade level for students to enter job apprenticeship programs (such as secondary students, postsecondary students, or both);

(4) the potential for such programs to reduce the dropout rate, place more qualified workers in the workplace, provide continuing education, including postsecondary opportunities, and increase the lifetime earnings of those who participate in such a job apprenticeship program;

(5) the issues in obtaining labor and management utilization of skills, certification for employee recruitment, promotion, and other purposes, and issues in creating and improving such certification to reliably and validly reflect the changing structure of work in the skills certified;

(6) the training wage appropriate for an apprentice;

(7) the estimated value and productivity of apprentices to business;

(8) the Federal, State, employer, and labor roles in regulating and funding such a program;

(9) the direct and indirect costs and benefits of such a program to the Federal and State governments, industry, the company and the individual; and

(10) the quality and adequacy of Federal and State data on training, including apprenticeships, directly or indirectly provided by employers, including data on the level and distribution of training by industry, firm size, and of labor and management employees.

(d) Deadline for Study.—The study required by subsection (a), together with comments and recommendations, shall be completed and presented to Congress not later than the expiration of the 1-year period beginning on the date of enactment of this Act.

SEC. 612. HIGHER EDUCATION ACT.

Section 621 of the Higher Education Act of 1965 is repealed.

TITLE VII—EFFECTIVE DATE

SEC. 701. TRANSITION PROVISION.

Upon the enactment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990, each State and eligible recipient of Federal financial assistance under a State plan submitted pursuant to section 113 of the Carl D. Perkins Voca-

tional Education Act may expend funds currently available under the Carl D. Perkins Vocational Education Act to—

(1) conduct planning for any program or activity authorized under the Carl D. Perkins Vocational and Applied Technology Education Act, including the development of a State plan under section 113 of such Act;

(2) develop State and local standards and measures as required by section 115 of the Carl D. Perkins Vocational and Applied Technology Education Act; and

(3) conduct assessments as required by section 116 of the Carl D. Perkins Vocational and Applied Technology Education Act.

SEC. 702. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this Act shall take effect on July 1, 1991.

(b) SPECIAL RULE.—Sections 3, 115, 116, 504, and 512 and part H of title III of the Carl D. Perkins Vocational and Applied Technology Education Act (as amended by this Act) shall take effect upon the enactment of this Act.

And the Senate agree to the same.

AUGUSTUS F. HAWKINS,
WILLIAM D. FORD,
GEORGE MILLER,
DALE E. KILDEE,
PAT WILLIAMS,
MATTHEW G. MARTINEZ,
MAJOR R. OWENS,
CHARLES A. HAYES,
CARL C. PERKINS,
TOM SAWYER,
DONALD M. PAYNE,
NITA LOWEY,
GLENN POSHARD,
JOLENE UNSOELD,
NICK RAHALL,
BILL GOODLING,
TOM PETRI,
STEVE GUNDERSON,
STEVE BARTLETT,
HARRIS W. FAWELL,
FRED GRANDY,
PETER SMITH,
Managers on the Part of the House.

EDWARD M. KENNEDY,
CLAIBORNE PELL,
HOWARD M. METZENBAUM,
CHRISTOPHER J. DODD,
PAUL SIMON,
BARBARA A. MIKULSKI,
ORRIN HATCH,
NANCY LANDON KASSEBAUM,
THAD COCHRAN,
JAMES M. JEFFORDS,
STROM THURMOND,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill joint resolution (H.R. 7) to amend the Carl D. Perkins Vocational Education Act to extend the authorities contained in such act through the fiscal year 1995, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompaning conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for the House bill and the Senate amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

1. *Short Title.* The House bill is called the "Applied Technology Education Amendments of 1989." The Senate amendment is called "The Carl D. Perkins Vocational Education Act Amendments of 1989."

The House recedes with an amendment naming the bill "The Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990."

2. *State Councils: Establishment.* (a) The House bill, but not the Senate amendment, requires each State to establish a State human investment council to review Federal programs under the Adult Education Act, the Carl D. Perkins Applied Technology Education Act, the Job Training Partnership Act, the Rehabilitation Act of 1973, and the Wagner-Peyser Act. Under current law, each State is required to establish a State council on vocational education and a job training coordinating council and may establish, at its discretion, a State advisory council on adult education. No councils are currently required under the Rehabilitation Act of 1973 or the Wagner-Peyser Act.

The Senate amendment, but not the House bill, retains the requirement from the current Perkins Act that each State have a council on vocational education.

The House recedes.

3. *State Councils: Duties—Coordination.* The House bill requires that this new human investment council must review the provision of services under the five programs and advise the governor on how to coordinate such services consistent with the provisions of each program.

The Senate amendment clarifies the section of the current law requiring an evaluation at least every 2 years of the coordination between vocational education and JTPA.

The House recedes.

4. *State Councils: Duties—Advice.* The council created by the House bill is also charged with advising the governor on the implementation of State and local performance standards and measures which are newly required to be developed under the House bill.

The Senate amendment adds to the current duties of the State council on vocational education by requiring that it make recommendations to the State board on the State plan. The State council is also authorized to submit a statement to the Secretary of Education commenting on each State's plan. Such comments shall be filed with the State plan.

The House recedes.

5. *State Councils: Membership.* The House bill contains provisions specifying the membership of each State council: 30% from business and industry, 30% from labor and CBOS, 20% from the State agencies administering the programs and from State legislatures and other State agencies, and 20% from local governments and educational institutions and individuals knowledgeable about special needs populations.

The Senate amendment modifies the current council membership by adding a representative of trade organizations and by permitting membership from vocational student organizations and school board members.

The House recedes.

6. *State Councils: Membership Prohibition.* The Senate amendment, but not the House bill, includes a new requirement barring any employee of the State board from serving on the State council.

The House recedes.

7. *State Councils Duties—Corrections Education.* The Senate bill, but not the House amendment requires the council to review corrections education programs.

The Senate amendment but not the House bill, requires the Council to comment on the adequacy of the State plan and its implementation.

The House recedes.

8. *State Councils: Membership Terms.* The House bill, but not the Senate amendment, provides for staggered terms for the membership of the council—with ⅓ being appointed for 1 year, ⅓ for 2 years, and ⅓ for 3 years when members are initially appointed.

The House recedes.

9. *State Councils: Funding.* (A) The House bill provides that the funding for the council will be derived from the Perkins Act, JTPA, and, at the discretion of the State, the Adult Education Act.

The House recedes.

(B) The Senate amendment modifies current law by raising the minimum grant to each State for its council from $120,000 to $150,000 and by raising the maximum grant from $225,000 to $250,000. A 1990 hold-harmless provision is included. Grants to councils in the territories are changed from the current $50,000 to $60,000 for the Virgin Islands, Guam, and Micronesia and to

$25,000 for American Samoa, Palau, the Marshall Islands, and the Commonwealth of the Northern Marianas.

The House recedes with an amendment deleting Micronesia and the Marshall Islands and including Palau until the Compact of Free Association with Palau takes effect.

(C) The Senate separately authorizes $10 million for FY 1991, and such sums thereafter.

The Senate recedes with an amendment authorizing $9 million for fiscal year 1991.

(D) The House bill retains the current council formula, and requires the Council to prepare a budget by including funds from other applicable council funds, i.e., Adult Ed. JTPA, etc.

The House recedes.

10. *State Councils: Effective Date.* The House bill makes the state council section effective on July 1, 1990.

The Senate amendment as part of the whole bill sets an effective date of July 1, 1991.

The House recedes.

11. *Interdepartmental Task Force.* The House bill, but not the Senate amendment, requires the creation of an interdepartmental task force on applied technology education and related programs. The membership would consist of the Secretaries of Education, Labor, and Health and Human Services, and such other personnel as appropriate. This task force would examine the data required under the Adult Education Act, Perkins Act, JTPA, Rehabilitation Act, and the Wagner-Peyser Act, examine possible common objectives and standards, and consider integration of research. A report would be annually submitted to the Congress.

The Senate recedes with an amendment for a 2-year report.

12. *Joint Funding.* The House bill, but not the Senate amendment, permits States to use funds from any of the five programs in jointly-funded programs if such programs meet the requirements of each Act, and are used to supplement and not supplant funds provided from non-Federal sources.

The Senate recedes with an amendment limiting the provision to the Perkins, JTPA, and Wagner-Peyser Acts for coordinated services to the same populations.

13. *Uniform Criteria.* The House bill, but not the Senate amendment, amends JTPA to make eligible for services as disadvantaged or handicapped individuals, any individual who is determined to be disadvantaged under the Perkins Act or entitled to a free appropriate public education under the Education of the Handicapped Act.

The House recedes.

14. *New Name.* The House bill, but not the Senate amendment, renames the Perkins Act as the Perkins Applied Technology Education Act and substitutes for the term "vocational education" the new term "applied technology education" wherever it appears in the Act.

The House recedes with the same amendment as in #1.

15. *Purpose.* The House bill, but not the Senate amendment, revises the statement of purpose of the Perkins Act by emphasizing that the United States will become more competitive in the world economy through developing more fully the academic and occupational skills of all segments of the population.

The Senate recedes.

16. *Authorization Basic State Grants.* The House bill authorizes $1 billion for fiscal year 1990 for titles I (other than section 112), II and IV (other than Part E); and for title III the following:

$15 m. for Part A
$40 m. for Part B
$30 m. for Part C
$20 m. for Part D
$200 m. for Part E
$100 m. for Part F

Also authorized is $8 million for Title I section 112 and $10 million for Part E, Title IV—for a total of $1.4 billion. Such sums are authorized for fiscal years 1991 through 1995.

The Senate amendment authorizes $1.5 billion for fiscal year 1991 and such sums for fiscal years 1992 through 1995 for titles I, II, III, and IV.

The Senate recedes with an amendment setting a total of $1.6 billion for the Act for fiscal year 1991 allocated as follows:

	Amount
Basic State grant (billions)	$1,258.15
CBO's (millions)	$15
Consumer education (millions)	$38.5
Guidance (millions)	$20
Business partnerships (millions)	$10
Tech-prep (millions)	$125
Supplementary State grants for facilities and equipment (millions)	$100
Bilingual (millions)	$10
State Advisory councils (millions)	$9
National Advisory Council	$350,000
Community Education—Lighthouse schools (millions)	$10
Tribally controlled post-secondary voc. institutions (millions)	$4

Under Section 3, authorizations are specified for each of the separate programs contained in Title III, in addition to the State advisory council and bilingual education. The managers want to make very clear that authorizations of appropriations for each of these programs in the fiscal years 1992 through 1995 are contained in the overall authorization of appropriations under Section 3(a), which is the overall ceiling for Titles I, II, III and IV. Such sums as may be necessary are authorized to fiscal years 1992 through 1995 under this subsection, and this authorization would therefore apply to each of the separate programs for these years.

17. *Authorization: Community-Based Organizations.* The House bill authorizes $15 million for fiscal year 1990 and such sums for fiscal years 1991 through 1995 for community-based organizations.

The Senate amendment authorizes $14 million for fiscal year 1991 and such sums for fiscal years 1992 through 1995 for community based organizations.

The Senate recedes with an amendment setting $15 million for fiscal year 1991.

18. *Authorization: Consumer and Homemaking Education.* The House bill authorizes $40 million for fiscal year 1990 and such sums for fiscal years 1991 through 1995 for consumer and homemaking education.

The Senate amendment authorizes $37 million for fiscal year 1991 and such sums for fiscal years 1992 through 1995 for consumer and homemaking education.

The House recedes with an amendment setting $38.5 million for fiscal year 1991.

19. *Authorization: Guidance and Counseling.* The House bill authorizes $30 million for FY 1990 and such sums for FY 1991–1995 for guidance and counseling.

The Senate amendment does not contain a separate authorization for guidance and counseling but instead folds the separate authorization into the National Demonstration Programs under Title IV and permits funds under the basic State grant to be used for that purpose.

The Senate recedes with an amendment setting $20 million for fiscal year 1991, subject to a trigger level of $1 billion in funding for the basic State grant.

20. *Authorization: Business-Education-Labor Partnerships.* The House bill authorizes $20 million for FY 1990 and such sums for FY 1991–1995 for business-education-labor partnerships.

The Senate amendment does not contain a separate authorization for business-education-labor partnerships; instead creates a new business and labor partnership under the National Demonstration Programs under Title IV.

The Senate recedes with an amendment setting $10 million for fiscal year 1991, subject to a trigger level of $1 billion in funding for the basic State grant.

21. *Authorization: Tech-Prep Education.* The House bill authorizes $200 million for FY 1990 and such sums for FY 1991–1995 for tech-prep education.

The Senate amendment does not have a separate authorization for tech-prep but instead reserves 5% of each State's basic grant for this purpose.

The Senate recedes with an amendment setting $125 million for fiscal year 1991.

22. *Authorization: Supplemental Grants.* The Senate amendment, but not the House bill, authorizes $100 million for FY 1991 and such sums for FY 1992–1995 for supplemental assistance grants to needy areas.

The Senate recedes.

23. *Authorization: National Assessment.* The House bill reserves a portion of the Secretary's funds for the national assessment of vocational education.

The Senate amendment authorizes $3 million for FY 1991 and 1992 for the national assessment.

The Senate recedes with an amendment permitting funding for the national assessment to be provided from the funds reserved for research under national programs (Part A of Title IV).

24. *Authorization: Improvement of Facilities and Acquisition of Equipment.* The House bill, but not the Senate amendment authorizes $100 million for FY 1990 and such sums for FY 1991–1995 for improvement of facilities and acquisition of equipment.

The Senate recedes with an amendment setting $100 million for fiscal year 1991.

25. *Authorization: Hold Harmless.* The House bill, but not the Senate amendment requires that the appropriations for the basic State grant for FY 1990 must equal or exceed the amount necessary to carry out activities in the preceding fiscal year if sums are to be authorized for guidance and counseling, business-education-labor partnerships, tech-prep, and facilities and equipment.

The Senate recedes with amendment for a $1 billion trigger for guidance and counseling, business-labor-education partnerships, and community education-lighthouse school programs.

26. *Authorization: State Councils.* The House bill authorizes $8 million in FY 1990 and such sums for FY 1991-1995 for the new human investment council.

The Senate amendment authorizes $10 million for FY 1991 and such sums for FY 1992-1995 for State councils on vocational education.

The Senate recedes with an amendment setting $9 million for fiscal year 1991.

27. *Authorization: Bilingual.* The House bill authorizes $10 million in FY 1990 and such sums for FY 1991-1995 for bilingual vocational programs.

The Senate amendment authorizes $7 million in FY 1991 and such sums for FY 1992-1995 for bilingual vocational programs.

The Senate recedes with an amendment setting $10 million for fiscal year 1991.

28. *Authorization: National Advisory Council on Vocational Education.* The Senate amendment, but not the House bill, authorizes $350,000 for FY 1991 and $200,000 (subject to a special limitation) for FY 1992 for the National Council.

The House recedes with an amendment deleting 1992.

29. *Authorization: National Programs.* For national programs, the House bill reserves 2% of the appropriations made under the Act. The Senate amendment reserves 2.75%.

The House recedes with an amendment setting 2.5% because this percentage reflects more accurately the current appropriations.

30. *State Allotment.* The House bill, but not the Senate amendment, modifies the provision guaranteeing each State no less than one-half of 1% of the appropriation by placing a limitation on each State of no more than an amount calculated by multiplying the number of individuals in the State counted for the formula by 150% of the national average per pupil payment. However, no State would receive less than it received in FY 1989.

The Senate recedes with an amendment for a fiscal year 1991 hold harmless.

31. *State Allotment: Indian Programs.* The State amendment, but not the House bill, increases from 1½ to 2% the amounts reserved for Indian programs.

The Senate recedes with an amendment clarifying that 1¼% is for Indian programs and ¼% for native Hawaiians.

32. *State Allotment: The Territories.* The Senate amendment, but not the House bill, creates a new section which includes a reservation of .25% of the amounts in the bill for the Territories, with the exception of the Virgin Islands—which is kept in the state basic grant formula.

The House recedes with an amendment reserving .2%.

33. *The Territories.* The Senate amendment, but not the House bill, removes Guam, American Samoa, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands from Section 101(c)(1)(B).

The House recedes.

34. *The Territories: Minimum Allotment.* The Senate amendment, but not the House bill, deletes the minimum allotment ($200,000) for the territories.

The House recedes with an amendment setting the minimum allotment only for the Virgin Islands and clarifying that the small State minimum does not apply.

35. The Senate amendment, but not the House bill, contains a clarifying technical amendment regarding the outlying areas.

The House recedes.

36. *Within State Allocation.* (a) The House bill permits a State to reserve a maximum of 5% of the basic State grant for State administration and sets a minimum of $250,000 per State. The Senate amendment also reserves a maximum of 5% for State administration (25% of a maximum of 20%) but does not contain any minimum. The Senate amendment, but not the House bill, requires States to match dollar for dollar the funds reserved for State administration.

The Senate recedes on 1st and 2nd sentences. The House recedes on the 3rd sentence with an amendment requiring States to use the 5% State administration funding to develop State plans; review/approve local applications; administer funds; monitor and evaluate program effectiveness; provide technical assistance; assure compliance with all aspects of law, including required services and activities for individuals who are members of special populations. The managers intend that the matching requirement be applied to overall, not line-by-line, State administration expenditures. For example, the $60,000 reserved for the State sex equity coordinator must be matched, but the matching funds need not be used for such coordinator. For further information regarding this provision, see item #39.

(b) The House bill requires that 10% of the basic State grant be reserved for the program for single parents, homemakers, displaced homemakers and for the sex equity program. The Senate amendment reserves 4% (20% of the maximum of 20%) of the basic State grant for sex equity programs and reserves for the displaced homemakers program at least 10.5% of the amount a State reserves for secondary and postsecondary programs. The Senate amendment requires that the funds reserved for the displaced homemaker program be taken from the amount a State set aside for postsecondary programs.

The Senate recedes with amendments setting 10½% for both programs, of which no less than 7% is for the displaced homemakers and no less than 3% for sex equity, and providing for a 1990 hold harmless for both programs which will be ratably reduced if sequestration or a decline in appropriations occurs.

37. *Within State Allocation—Partnerships, Standards Development.* The House bill permits a State to reserve up to 5% of the basic State grant for business-education-labor partnerships, the development of State performance standards, the training and re-

training of staff, at least one program for incarcerated youth or criminals, pre-service and in-service training, and support of student organizations.

The Senate amendment, reserves 15% (75% of 20%) of the basic State grant for State programs and State leadership.

The House recedes setting 8½% for discretionary State-level activities.

38. *Within State Allocation—Tech-Prep.* The Senate amendment, but not the House bill, reserves 5% of the basic State grant for tech-prep programs. The House bill separately authorizes these programs for $200 million in FY 1990.

The Senate recedes on the reservation and instead $125 million is authorized.

39. *Within State Allocation—State Administration Match.* The Senate amendment, but not the House bill, requires States to match dollar-for-dollar the funds reserved for State administration.

The House recedes with an amendment requiring the sex equity coordinator's salary to come from the 5% for administration. The managers intend that this provision lead to overall, not line item, matching for State administration. Also included is the same amendment as in #36(a).

40. *Within State Allocation—Secondary/Postsecondary Split.* The Senate amendment, but not the House bill, requires each State to fund secondary and postsecondary programs in accordance with a range of permissible percentages. (Of the 75% of the basic State grant reserved for title II, 65%-75% would be reserved for secondary programs and 25%-35% would be reserved for postsecondary programs.)

The Senate amendment includes a hold harmless phase-in of this requirement (20% in FY 1991, 36% in FY 1992, and 51% in FY 1993) and also permits a waiver for states (which is described later).

The Senate recedes with an amendment which provides that, if a State uses less than 15% of Title II, Part C funds for either secondary or postsecondary programs, it can allocate such funds through competitive grants—provided that better targeting results.

41. *Within State Allocation—Title II Programs.* The Senate amendment reserves 75% of the basic State grant for basic programs under part C of title II. The House bill applies the remainder of allotments not used for administration (5% maximum), sex equity/displaced homemakers (10%), and special programs (5% maximum) to title II basic programs.

The Senate recedes with an amendment reserving no more than 25% for State activities (administration, displaced homemakers, sex equity, corrections, and discretionary programs) and directing at least 75% to local uses.

42. *Indian and Hawaiian Programs.* The Senate amendment, but not the House bill, increases the setaside for Indian and Alaska Native programs to 2% and changes the distribution of funds. (See Note 31.)

The House bill adds a provision that the Secretary is to put no conditions on Indian or Alaska Native grantees not placed upon States and is to give special consideration to grant applications involving tribal economic development.

The Senate recedes with an amendment clarifying requirements administered by the Department of Education.

43. *Indian and Hawaiian Programs—Distribution of Funds*. The Senate amendment, but not the House bill, changes the distribution of the set-aside for Indians and native Hawaiians.

The Senate recedes.

(a) Seven-twelfths of the 2% is reserved for grants or contracts with Indian tribes and tribal organizations. Special consideration is given to applications from tribally controlled community colleges which meet one of three accreditation requirements.

The Senate recedes on the first sentence. The House recedes on the second sentence. The managers allow qualified schools operated by the Bureau of Indian Affairs to compete for grants under this section. Such applications may be made either as individual schools, or in consortia made up of a number of such schools or such schools, and other entities. Such applications are to be considered in the same fashion as all other applications. However, if a B.I.A. operated school or consortia is successful, the managers have mandated a minimum grant. This should be taken into consideration either in the initial application or in a request by the Department for an amendment to the application, which shall involve activities in support of the initial project. Tribally operated schools, whether contract or grant, would continue to qualify as tribal organizations. With respect to administration of grants or contracts with successful B.I.A. operated schools, the Secretary of Education shall enter into an arrangement with the Secretary of the Interior for the transfer of funds to the Secretary of Interior/Assistant Secretary of B.I.A. for administration through the B.I.A.'s cost-accounting system, provided that the B.I.A. shall pass through to the successful school/consortia the entire amount of money, in exactly the form and with the exact conditions as are associated with the successful grant and the B.I.A. shall take no administrative or handling or indirect cost funds from the grant/contract for the handling of such transfer. The Secretary of Education shall conduct such evaluation and receive all other grant documents or products directly from the grantee.

43. (b) One-twelfth of the funds reserved under this section will go for grants to BIA secondary schools to provide voc ed programs for secondary students attending the school, with a minimum grant size of $35,000. The bill outlines the distribution of any excess funds.

The Senate recedes on 1/12. The House recedes on the $35,000 minimum.

43. (c) Two-twelfths of the funds reserved under this section will go for grants to two or more schools of vocational-technical education, which are: a) governed by a majority of trustees who are Indians, b) in operation for five or more years, c) enroll a minimum of 100 students of which a majority are Indians, and d) nationally accredited, or a candidate for accreditation for at least 5 years. If any funds from the reservation are left over, the Secretary may award grants first to tribally-controlled colleges and, if any funds are still remaining, to Indian tribes and organizations. A minimum grant of $50,000 is specified.

The Senate recedes.

43. (d) Two-twelfths of the funds are reserved for contracts with organizations serving native Hawaiians.

The Senate recedes with an amendment clarifying that ¼% is for programs for native Hawaiians.

44. *The Territories.* The Senate amendment, but not the House bill, adds a new section . . . which requires that the Secretary reserve funds for the territories. Guam & Micronesia will receive $500,000, the amount provided to Guam in FY 1990. American Samoa, Palau, the Marshall Islands, and the Commonwealth of the Marianas will receive $190,000, the amount provided to American Samoa in FY 1990 for vocational education programs. From the remaining funds, the Secretary shall make a grant to the Center for the Advancement of Pacific Education in Hawaii for vocational education and training grants in the territories for teacher and counselor training, curriculum development, and improving secondary and postsecondary programs. This Center may use no more than 5% of the funds for administration of the grant.

The House recedes with an amendment of $500,000 for Guam and $190,000 each for American Samoa, Commonwealth of the Marianas and Palau, but Palau may only receive funding until it ratifies any compact of free association. Additional amendments affect the Center on Pacific Education by limiting funds to direct educational services permitting CAPE to make grants as well to the Marshall Islands and the Federated States of Micronesia, and clarifying any successor agency as the one designated as the Pacific Regional Laboratory. The managers intend that the allocation for Palau be granted directly to the Micronesian Occupational College (MOC) in Koror.

45. *State Administration—Consultation with Business.* The Senate amendment, but not the House bill, requires the State board to consult not only with the State council, but also with business and industry in planning, administering, evaluating, and coordinating programs.

(The House bill, but not the Senate amendment, substitutes the human investment council for the State council under state administration.)

The House recedes with an amendment including labor among the groups to be consulted.

46. *State Administration—Sex Equity Review.* The Senate amendment, but not the House bill, requires the State board to review and comment upon plans of local educational agencies to ensure that the needs of women and men for training in non-traditional jobs are met.

The House recedes with an amendment including all eligible recipients and deleting language requiring the State board to recommend programs for funding.

47. (a) *State Administration—Handicapped Children.* The House bill requires each State to assure access to programs for students with handicaps who are covered by the Education of the Handicapped Act or by Section 504 of the Rehabilitation Act, are not less than 12 years of age, and are not older than the upper-age limit established by the State for eligibility for special education services.

The House recedes.

(b) The Senate amendment requires each State to designate the head of the State office for the education of the handicapped to review all local plans to assure that students are receiving vocational services required by individual educational programs, to ensure that local agencies have submitted assurances of compliance with Section 504 of the Vocational Rehabilitation Act and the Education of the Handicapped Act, to review all local plans to ensure that handicapped children have been identified, are enrolled in programs, have had their needs assessed, and adequate plans have been developed for supplementary services, and to evaluate local plans.

The House recedes with amendments setting review of all or a representative sample of applications and deleting evaluations.

48. *State Administration—Chapter 1.* The Senate amendment, but not the House bill, requires each State to assign the Chapter 1 Coordinator to review local plans to ensure that disadvantaged students have been identified and served.

The House recedes with same amendments as #47(b).

49(a). *State Administration—LEP.* The Senate amendment, but not the House bill, requires each State to designate the head of the State agency responsible for programs for students with limited English proficiency to review local plans to assure that such students have been identified and served.

The House recedes with same amendments as #47(b).

49(b). *State Administration—Parents.* The Senate amendment, but not the House bill, requires the State board to consult with parents, students, and teachers in the planning of vocational education programs.

The House recedes with an amendment to involve these groups in public hearings.

50. The House bill, but not the Senate amendment, amends current law regarding the duties of the Council to conform with the State Human Investment Council.

The House recedes.

51. *State Plans—NOICC.* The House bill, but not the Senate amendment, requires the State to use information gathered by the National Occupational Information Coordinating Committee in developing the State plan.

The Senate recedes with an amendment requiring that information gathered by the NOICC be used in the State assessment.

52. (a) *State Plans—Special Population.* The House bill requires the States to assess the responsiveness of programs to the special needs of students who are members of special populations.

The Senate recedes blending with (b).

(b) The Senate amendment requires that the State plan provide assurances that eligible recipients will comply with the requirements of the bill, including a description of the manner in which the State will comply with criteria required for programs for special population. The plan must also provide assurances that the State board will develop measurable goals and accountability measures for meeting the needs of special populations and will adequately monitor programs serving these populations. (The plan must describe the methods of assessment of each special population and report the number of individuals in each category for each occupationally specific program.)

The House recedes blending with (a).

53. *State Plans—Submissions.* The Senate bill, but not the House amendment, retains the requirement for submission to the Secretary of an initial 3-year plan and 2-year plans thereafter. The planning periods are to be coterminous with planning periods required under JTPA.

The House recedes.

54. *State Plans—Requirement.* (a) The House bill requires each State in developing the plan to assess the capability of local programs to provide students with strong experience and understanding of all aspects of the industry the students are preparing to enter and strong development and use of problem-solving skills and basic skills.

The Senate recedes with an amendment inserting "to the extent practicable."

(b) The Senate amendment requires each State to assure that the goal of each program is to give a student experience in, and understanding of, all aspects of the industry in which the student is preparing to enter.

The Senate recedes.

55. *State Plans—Consultation.* The Senate amendment, but not the House bill, requires the State board to meet with and utilize the State Council prior to development of the State plan. The board is also required to conduct public hearings to allow interested parties to present views and make recommendations. A sumamry of these recommendations must be submitted with the State plan.

The House recedes.

56. *State Plans—Assessment.*—(a) The Senate amendment, but not the House bill, adds a new requirement that States conduct a State assessment in developing the State plan, and describe how the planned use of funds reflects the assessment.

The House recedes.

(b) The House bill, but not the Senate amendment, requires the States to assess the responsiveness of programs to the special needs of students who are members of special populations.

The Senate recedes with an amendment to blend with (a) above.

(c) The House bill, but not the Senate amendment, revises the current law to emphasize that academic, occupational, training, and retraining needs must be addressed.

The Senate recedes.

(d) The Senate amendment, but not the House bill, revises the assurances included in the State plan to require the State to develop measurable goals and accountability measures for special populations and to provide for special populations and to provide adequate monitoring of local programs to ensure that such goals have been met. The Senate amendment also requires each State to set forth the planned distribution of secondary school funds to local entities.

The Senate recedes with an amendment requiring each State to develop and implement a state-wide system of standards and measures in consultation with a committee of practitioners; includes measures of learning and competency gains in both academic achievement and vocational skills competencies; also requires a report to show that standards and measures are unbiased to special populations. Different standards and measures may be established for secondary and postsecondary or adult programs.

57. *State Plans—Assurances/Private Schools.* The Senate amendment requires that the State plan include assurances that private elementary and secondary school students who are individuals described in Section 223 be permitted to participate in vocational education programs, to the extent consistent with other provisions of the Act.

The House recedes with an amendment deleting elementary school students.

58. (a) *State Plans—Assurance/Distribution of Funds.* The House bill requires that the State provide assurances that it will distribute at least 80% of the funds available for title II to local educational agencies and postsecondary institutions.

The Senate recedes with an amendment setting a minimum of at least 75%.

(b) The Senate amendment requires that the State plan set forth the planned distribution of secondary school funds to local entities. The Senate amendment also requires that the State plan provide assurances that the State will comply with provisions relating to the within state reservation of funds.

The House recedes with an amendment including the estimated distribution of funds to all eligible recipients.

59. *State Plans—Assurances/Application Approval.* The Senate amendment, but not the House bill, requires that the State plan set forth the criteria the State board will use in approving applications of eligible recipients.

The House recedes.

60. *State Plans—Assurance/State Reserve.* The Senate amendment, but not the House bill, requires that the State plan set forth the criteria for spending the 20% reserve for State administration and leadership activities.

The House recedes with an amendment requiring that the State plan set for the criteria for spending funds reserved for displaced homemakers, sex equity, state-wide discretion, State administration, and corrections programs.

61. *State Plans—Assurance/Special Reserve.* The Senate amendment, but not the House bill, requires that the State plan include assurances that the State will match the 10% reserve it is permitted to redistribute under section 101(c).

The Senate recedes.

62. *State Plans—Assurances/Job Openings.* The Senate amendment, but not the House bill, requires that the State plan describe how funds expended for occupationally specific training will be used only for occupations in which job openings are projected or available.

The House recedes with an amendment adding "based on labor market analysis". The managers intend that this analysis not be limited to the area in which the school is located.

63. *State Plan—Measures of Performance.* The House bill requires States to develop and implement a system of standards for performance and measures of performance. The Senate amendment

requires States to develop measures of effectiveness of programs for special populations, whereas current law only requires such measures for programs for the handicapped.

The Senate recedes with an amendment requiring each State to develop and implement a state-wide system of standards and measures in consultation with a committee of practitioners; includes measures of learning and competency gains in both academic achievement and vocational skills competencies; also requires a report to show that standards and measures are unbiased to special populations.

64. *State Plans—Assurances/Performance Evaluations.* The Senate amendment, but not the House bill, requires each State to describe how it is implementing performance evaluations.

The House recedes.

65. (a) *State Plans—Assurances/Performance Standards.* The House bill requires States to develop and implement a system of standards for performance and measures of performance.

The Senate recedes with an amendment requiring each State to develop and implement a state-wide system of standards and measures in consultation with a committee of practitioners; includes measures of learning and competency gains in both academic achievement and vocational skills competencies; also requires a report to show that standards and measures are unbiased to special populations.

(b) The Senate amendment requires States to develop measures of effectiveness of programs for special populations (whereas current law only requires such measures for programs for the handicapped). In addition, the Senate amendment requires the State to measure program effectiveness based on occupational assessment skills achievement and linkages to labor and jobs.

The Senate recedes with the same amendment as in 65(a).

66. (a) *Guidance and Counseling.* The House bill, but not the Senate amendment, requires States to spend the same amount for guidance and counseling as they did in 1988.

The House recedes.

(b) The Senate amendment, but not the House bill, requires States to provide leadership, supervision, and resources in this area.

The House recedes.

67. (a) *Supplement, Not Supplant.* The House bill includes an addition to the supplement but not supplant provisions to require that schools receiving assistance receive at least the same amount of funding per student from non-Federal sources as is received by other schools and to require that schools receiving assistance shall not receive fewer services under other programs.

The Senate recedes with amendment requiring comparable services taken as a whole.

(b) The Senate amendment requires that the State plan provide assurances that Federal funds will be used to supplement and not supplant such State or local funds.

The House recedes with an amendment including supplement, not supplant, language in the administrative provisions contained in Title V (Sec. 516).

68. *Appeals Procedure.* The House bill, but not the Senate amendment, requires each State to establish procedures by which an area school may appeal decisions adverse to its interests with respect to program assistance under the Act.

The Senate recedes with an amendment including local educational agencies and intermediate educational agencies.

69. *Section 116.* The House bill, but not the Senate amendment, requires each State to provide assurances that it will carry out the provisions of section 116, dealing with state improvement plans.

The Senate recedes.

70. *State Plans—Assurances/Guidance & Counseling.* The Senate amendment, but not the House bill requires that the State plan provide assurances that the State will provide leadership, supervision, and resources for comprehensive career guidance, vocational counseling, and placement programs. As a component of those assurances, the State must *assess and report on* the degree to which aggregate guidance and counseling expenditures are not less than such expenditures in FY 1988.

The House recedes. The managers intend that this provision will result in States reporting in the State plan on expenditures for guidance and counseling. Although the assessment is to be done annually, reporting is required only as part of the State plan.

71. *State Plans—Approval.* The Senate amendment, but not the House bill, adds the Governor to the list of entities (State legislature and State job training coordinator) to receive the state plan at least 60 days before submission to the Secretary.

The Senate recedes.

72. (a) *State Plans—Consultation.* Both the House bill and the Senate amendment add a requirement that the State board develop the secondary and postsecondary portions of the State plans after consultation with the State agencies responsible for secondary and postsecondary education.

The Senate recedes.

(b) The House bill requires the State agencies responsible for the supervision of community colleges, technical institutes, or other 2-year postsecondary institutions primarily engaged in providing postsecondary applied technology education all be consulted if they are separate.

The Senate recedes.

(c) The Senate amendment only requires consultation with the State agency responsible for community colleges and for secondary education.

The Senate recedes.

73. *State Plans—Consultation/Tech-Prep.* The Senate amendment, but not the House bill requires that the State board develop the portion of the State plan relating to the reservation of funds of tech-prep education after consultation with appropriate State agencies.

The House recedes with an amendment deleting the setaside but requiring consultation for any tech-prep funding.

74. *State Plans—Approval by Secretary.* Both the House bill and the Senate amendment require that the State plan be submitted to the Secretary by May 1. The Secretary must approve qualified plans within 60 days of their submission. The House bill includes

the development and implementation of performance standards, and the Senate amendment refers to performance evaluations and improvements.

The Senate recedes.

75. *Local Application.* The House bill retains the current local application under Title I, Part B—State Organization and Planning and adds to the list of requirements for local applications several new items.

The Senate amendment moves the local application to Title II, Part C, Subpart I—Secondary School Programs and also adds new requirements.

The House recedes on placement of section in law, including it in Title II, Part C, Subpart 3.

(a) The House bill requires that local applications include a description of how the State performance standards and measures for applied technology education programs will be applied and implemented—in consultation with the private industry council under JTPA.

The Senate amendment requires that local applications include a description of the performance evaluation standards the applicant will use to measure its progress. In addition, the applications must describe methods to coordinate vocational education services with relevant programs under JTPA—including cooperative arrangements established with JTPA PICs in order to avoid duplication and expand accessibility.

The House recedes.

(b) The House bill requires that local applications include a description of how access to programs of good quality will be provided through outreach programs to students who are economically disadvantaged, handicapped, foster children, or are limited English proficient.

The Senate amendment requires that local applications ensure full and equitable participation in a vocational education program of quality.

The Senate recedes with amendment striking "foster children" and including after the term "disadvantaged" the following "(including foster children)".

(c) The House bill requires that local applications include a description of how applied technology education programs for handicapped students will be monitored.

The Senate amendment includes new requirements that local applications contain: (i) a report on the number of special population individuals being served, (ii) a description of how the needs of special populations will be assessed and of the planned use of funds to meet such needs, (iii) identification of the planned use of resources allocated to meet those needs, and (iv) assurances that programs will be carried out according to the criteria for programs for each special population. The applications must also assure that parents and special population students have been involved in developing programs.

The House recedes.

(d) The Senate amendment, but not the House bill, requires the local recipient to demonstrate that it has met the needs of special populations before school-wide use of curriculum development and program improvement activities is permitted.

The Senate recedes.

(e) The Senate amendment, but not the House bill, requires that local applications include a description of coordination with community-based organizations.

The House recedes.

(f) The Senate amendment, but not the House bill, requires that the special needs coordinator review and comment on the assurances in the application regarding services to special populations.

The Senate recedes.

(g) The House bill, but not the Senate amendment, requires the local recipient to consider the occupational needs of the area being assisted.

The Senate recedes.

(h) The House bill, but not the Senate amendment, requires the local recipient to describe how funds will first be used to serve schools with the greatest concentration of special population students and which have programs that are in greatest need of improvement.

The Senate recedes with an amendment establishing the purpose of Perkins funds as being to improve programs at a limited number of sites or in a limited number of subject areas with the full participation of members of special populations. Recipients must annually choose sites and subject areas giving a priority to schools or institutions with the highest concentrations of special populations. Funds may only be used to improve programs that are of such size, scope, and quality as to be effective, integrate academic and vocational education, and provide equitable participation for special populations. Activities, such as tech-prep education, upgrading of curriculum, and in-service training may be supported with funds. The managers emphasize that the activities outlined in Section 235(c)(2) are intended to be illustrative. Other activities which meet the requirements of Section 235(c)(1) may be funded.

(i) The House bill, but not the Senate amendment, requires local recipients to provide a program in which academic and occupational disciplines will be integrated so that students receive competency in both, in which coherent sequence of courses leading to a job skill is offered, in which students are encouraged through counseling to pursue a coherent sequence of courses, in which special population students receive supportive services, which are of sufficient size, scope, and quality to bring about improvement, and which cooperate with the sex equity program.

The Senate recedes.

(j) The Senate amendment contains somewhat similar requirements in its provisions for the uses of funds for secondary and postsecondary recipients.

The Senate recedes.

(k) The House bill, but not the Senate amendment, requires each local educational agency working in a consortium to describe how funds have been provided to area schools in the consortium according to such schools' relative shares of special population students.

The Senate recedes with an amendment which provides that funds must be allocated directly to an area school if an LEA and an area school form a consortium and if the area school serves an approximately equal or greater number of economically disadvantaged and disabled students. Diverse types of data can be used for these purposes. Also, if an LEA allocation is not sufficient to provide a quality program, the LEA is encouraged to transfer funds to an area school.

76. *Local application—waiver.* The House bill, but not the Senate amendment, requires that the local application include any other appropriate information that the State may require.

The House recedes.

77. *State Improvement Plans.* The House bill, but not the Senate amendment, requires each State to review all programs in secondary and postsecondary institutions to determine whether such programs coordinate academic and occupational education, offer coherent sequences of courses, counsel students, lead to academic and occupational competencies, provide access to good programs for special population students, and provide updated equipment and materials. A State may fulfill this requirement either in fiscal 1991 or 1992.

The House recedes.

78. *Standards and Assessments.* The House bill requires States *receiving* funds under the Act to develop State-wide systems of standards and measures of performance for technical education programs within two years of enactment.

The Senate amendment requires States *desiring* funding under Title II to develop criteria for and evaluate effectiveness of programs under Title II. The State assessment must be completed no later than the beginning of the 1993 school year.

The Senate recedes with an amendment requiring each State to develop and implement a state-wide system of standards and measures in consultation with a committee of practitioners; includes measures of learning and competency gains in both academic achievement and vocational skills competencies; also requires a report to show that standards and measures are unbiased to special populations; also an amendment which requires each eligible recipient with full participation by representatives of special populations to annually evaluate the effectiveness of the program based on the standards and measures set forth. If no progress is shown after the first year, the eligible recipient will develop a plan in consultation with teachers, parents, students, and all others involved.

Standards and Assessments—Measures (a) *Gains.* The House bill requires that the system of standards and measures of performance include measures of learning gains and competency gains.

The Senate amendment requires that program criteria and evaluation include student progress in the achievement of basic academic skills.

The Senate recedes with same amendments as in #78.

(b) *Performance.* The House bill requires that the system include one or more of the following measures of performance: competency attainment, job or work skill attainment or enhancement, retention in/completion of secondary school or its equivalent, articulation into additional training, education or military service.

The Senate amendment requires that program criteria include student progress in achieving occupational skills necessary to obtain employment in the field for which the student has been prepared, including occupational skills in all aspects of the industry the student is preparing to enter.

Same as numbers 78 and 78(a).

(c) *Special Populations.* The House bill requires that the system include incentives or adjustments to encourage service to targeted groups or special populations. It must also include performance levels for handicapped students, commensurate with their ability levels and IEPs.

The Senate amendment requires that program criteria include the program's ability to meet the needs of special populations.

The Senate recedes with an amendment requiring each eligible recipient, with full participation by representatives of special populations, to annually evaluate the effectiveness of the program based on the standards and measures set forth. If no progress is shown after the first year, the eligible recipient will develop a plan in consultation with teachers, parents, students and all others involved.

(d) *Coordination.* The House bill requires that the system include procedures for utilizing existing resources and methods developed in other programs receiving federal assistance.

The Senate amendment requires that the program criteria include any other measures the State deems necessary.

The House recedes and the Senate recedes with an amendment requiring each State to develop and implement a state-wide system of standards and measures in consultation with a committee of practitioners; includes measures of learning and competency gains in both academic achievement and vocational skills competencies; also requires a report to show that standards and measures are unbiased to special populations.

(e) *Standards and Assessments—Consistency with Local Criteria.* The Senate amendment, but not the House bill, requires that the State make every effort to develop criteria that are consistent with local criteria. If after two years the State determines that the local recipient is not making progress, then the State must work with that recipient to modify its program.

The Senate recedes with amendments requiring each State to develop and implement a State-wide system of standards and measures in consultation with a committee of practitioners; includes measures of learning and competency gains in both academic achievement and vocational skills competencies: also requires a report to show that standards and measures are unbiased to special populations. The Senate also recedes on an amendment requiring that if student progress has not been made after one year of implementation of the plan by the LEA, the State board and LEA will work jointly to develop a plan for improvement. If after one year of implementation of the joint plan, no progress is made, the State board and LEA will make revisions for each consecutive year until performance is sustained over a period of more than one year.

79. *State Assessment.* (a) The Senate amendment, but not the House bill, requires each State to develop measurable objective criteria and standards for programs. Wide consultation is required and such criteria must be used by school year 1993.

The Senate recedes with same amendment as in 78(d). The House recedes with amendment to change date to 1991.

(b) The Senate amendment further provides that such criteria must include several factors, such as student improvement in basic skills. Within each State, the head of the special education unit, the sex equity coordinator, and the administrator of limited-English proficiency programs must each develop data collection procedures appropriate to special populations.

The Senate recedes.

(c) The Senate amendment further requires each State board to assess improvement in programs using six specific criteria, including the integration of academic and vocational education.

The House recedes with an amendment adding additional criteria.

80. *Standards and Assessments—Technical Assistance.* The House bill, but not the Senate amendment, requires the Secretary to provide technical assistance to the States regarding the development of a system of standards and measures of performance.

The Senate recedes.

81. *Standards and Assessments—Report.* The House bill, but not the Senate amendment, requires the Secretary to report to Congress within four years regarding the status of each State's system of standards for performance and measures of performance developed and any effects due to the implementation of same.

The Senate recedes with same amendment as in 78(d).

82. *State Assessment—Criteria.* The Senate amendment, but not the House bill, requires that the State assessment include criteria relating to: (a) student improvement in basic skills; (b) gains in learning and educational outcomes; (c) competency in all aspects of the industry the student is preparing to enter; (d) student improvement in life skills, problem solving, and career decision making; (e) the ability of recipients (under Title II, subpart 2 of part C) to meet the needs of special populations; (f) the quality of vocational education in terms of pertinence of programs; the technological and educational capacity of vocational curricula, equipment, and instructional materials to meet the increased demands of the workplace; capability to provide training to address the changing content of jobs; capability of programs to give experience in all aspects of the industry and to provide job placements; and measurement of the state-of-the-art quality of vocational education and (g) setting measurable goals to meet the needs of special populations.

The House recedes with an amendment requiring the State to develop measurable objective criteria to assess program quality including integration of academic and vocational education, sequential course of study, pertinence of programs to the workplace, and the ability of eligible recipients to meet the needs of special populations.

83. *State Assessment—Data Collection/Special Populations.* The Senate amendment, but not the House bill, requires the head of the special education office, the sex equity administrator, the Chapter 1 Coordinator, and the administrator of LEP programs to develop data collection procedures (including program services and outcomes as well as individuals being served) appropriate to the special populations being served.

The Senate recedes.

84. *State Assessment—Improvements Needed.* The Senate amendment, but not the House bill, requires each State board to assess improvements needed in programs. Factors in the assessment include: (a) academic/vocational education integration, (b) all aspects of the industry, (c) sequential course of study, (d) increased student job placement, (e) increased linkages between secondary and postsecondary institutions, (f) assistance to special populations; and (g) raising the quality of programs in schools with high concentrations of poor and low achieving students.

The House recedes with same amendment as #82.

85. *State Assessment—Improvements Needed/Timetable.* The Senate amendment, but not the House bill, requires the State board to complete an assessment of improvements needed pursuant to a timetable consistent with the State plan.

The House recedes with an amendment requiring the assessment to be completed six months after date of enactment.

86. *State Leadership.* The House bill permits a State to reserve up to 5% of the basic State grant for business-education-labor partnerships, the development of State performance standards, the training and retraining of staff, at least one program for incarcerated youth or criminals, preservice and inservice training, and support of student organizations.

The Senate amendment adds a new section which allows a State to reserve a maximum of 15% of the basic State grant for state programs and state leadership activities. State programs authorized may include the following activities: training and retraining programs for teachers, administrators, and counselors; curriculum development and dissemination and field testing; programs in technology education, and supporting student vocational organizations.

The House recedes with an amendment requiring that the State shall use the 8.5% allotted for State leadership activities for staff development (both in-service and pre-service training for vocational and academic teachers working in vocational education, counselors, CBO personnel, corrections educators, special emphasis on training of minority teacher); curriculum development (integration of vocational and academic training, and sequential courses of study in state-of-the-art programs and techniques for integration); assessment, performance standards and measures, program improvement, and accountability. Also the State may use these funds for promoting business, education, industry and labor, CBO or interagency partnerships; tech prep education, data collection, support of vocational student organizations, and programs in technology education. The managers intend that States be afforded flexibility in providing technical assistance with any funds carried over from prior years into years affected by these amendments. The managers also intend that current restrictions on use of Perkins funds for awards and student travel apply to the provision authorizing States to support vocational youth organizations.

87. *State Leadership—Emphasis in Training & Retraining.* The Senate amendment, but not the House bill, requires that state programs give particular emphasis in training and retraining programs to recruiting and training minority teachers and counselors and that the utilization of business and industry equipment and personnel be encouraged.

The House recedes.

88. *State Leadership--Curriculum.* The Senate amendment, but not the House bill, requires that curriculum development/dissemination/field-testing activities in state programs give priority to curriculum which: (a) integrates academic and vocational studies and (b) incorporates the needs of business, industry, and labor in high skilled occupations. These activities may include the award of contracts to the Corporation for Public Broadcasting and of grants for tech-prep programs.

The Senate recedes with same amendment as in #86.

89. *State Leadership—Leadership Activities.* The Senate amendment, but not the House bill, permits State leadership activities to include: (a) monitoring and evaluation, (b) development and implementation of performance evaluations, (c) development and implementation of the State assessment, (d) promoting business-industry-labor-interagency linkages, (e) promoting technology education courses, (f) establishing guidelines for local plan development, (g) creation and maintenance of a public awareness program, (h) developing linkages with community-based organizations, and (i) building collaborative efforts to improve vacational education services in traditionally underserved populations.

The House recedes with same amendment as in #86.

90. *State Leadership—Matching Funds.* The Senate amendment, but not the House bill, requires a dollar-for-dollar match for leadership activities.

The Senate recedes.

91. *Sex Equity-Displaced Homemaker Program Coordinator.* Both the House bill and the Senate amendment require that a coordinator be appointed who would be responsible for administering both the homemakers and sex equity programs. The House bill, but not the Senate amendment, adds new requirements as regards this coordinator. For example, the coordinator would have to be responsible for developing an annual plan for the use of all funds available for such programs and for managing and monitoring these funds.

The House bill places the coordinator under Title I, Part C ("State Administered Programs").

The Senate amendment places the coordinator under Title II, Part A ("State Programs").

The Senate recedes with an amendment to incorporate into State administration. (Section 111).

92. *Sex Equity-Displaced Homemaker Program Coordinator/Administration.* The House bill retains current language (Section 111(b)(1)) listing the duties to be fulfilled by the coordinator. This language is expanded by adding: (a) development of an annual plan for use of funds; (b) management of fund distribution; (c) monitoring of use of funds; (d) evaluation of program effectiveness.

The Senate amendment retains Section 111(b)(1), language and adds a new provision which allows the coordinator to review and comment on LEA plans to ensure the needs of women and men in nontraditional jobs are met.

The Senate recedes on first sentence with an amendment.

The House recedes on second sentence.

93. *Homemakers Program—Participants.* The House bill offers programs for single parents, homemakers and displaced homemakers.

The Senate amendment offers programs for single parents, displaced homemakers, and single pregnant women.

The House recedes.

94. *Homemakers Program—Reserve of Funds.* The House bill requires that the State program to assist single parents, homemakers, and displaced homemakers be funded with the sex equity program in an amount equal to 10% of the basic State grant. Seventy percent of that 10% reserve will be used for homemakers programs and the remaining 30% for sex equity programs.

The Senate amendment reserves for programs serving single parents, displaced homemakers, and single pregnant women at least 10.5% of the amount the State reserves for both secondary and postsecondary programs. (Sex equity reserve is 4% of the basic State grant.) The funds will be taken from the amount set aside for postsecondary programs, but programs may be offered in either secondary of postsecondary schools.

The Senate recedes with amendments reserving 10½%, requiring at least 7% for displaced homemakers and 3% for sex equity, and providing for a 1990 hold harmless adjusted ratably if sequestration or a reduction in appropriations occurs.

95. *Homemaker Program—Required Services.* The Senate bill provides that homemaker programs *must* provide vocational and prevocational programs, including comprehensive career guidance and counseling, to participants.

The House recedes. The managers intend guidance and counseling to be a part of the general State program but not necessarily a part of each local program.

96. *Homemaker Program—Activities.* In general, the House bill indicates that the State shall use a portion of its allotment only for the activities listed below.

The Senate amendment permits the State to use funds for the activities listed below.

The Senate recedes. The managers intend that these funds be used for direct services and the smallest amount possible be used for administration.

(a) *Preparatory/Pre-Vocational.* The House bill provides that homemaker programs may provide, subsidize, reimburse, or pay for *Preparatory services,* including basic literacy instruction and necessary educational materials, to provide participants with marketable skills.

The Senate recedes.

(b) The Senate amendment provides that homemaker programs may provide, subsidize, reimburse, or pay for *vocational and prevocational education and training activities*—including basic *academic skills,* necessary educational materials, and *career guidance and counseling* to provide participants with marketable skills.

The House recedes with amendment changing "may" to "shall".

97. *Grants.* The House bill provides for grants to *eligible* recipients for *Preparatory services of applied technology education and applied technology education services.*

The Senate bill refers to grants to *local* recipients for *vocational and prevocational education services.*

The Senate recedes on "preparatory" and "local".

The House recedes on "applied technology".

98. *Support Services.* The House bill provides that homemaker programs may assist participants with dependent care or transportation services.

The Senate amendment provides that homemaker program may provide support services including dependent care, transportation services, *special services and supplies, books and materials.*

The House recedes.

99. *Information.* The House bill provides that homemaker programs may provide information to single parents, *homemakers,* and displaced homemakers about applied technology education programs and related support services.

The Senate amendment provides that homemaker programs may provide information to single parents, displaced homemakers, and *single pregnant women* about vocational education programs, related support services, and *career counseling.*

The House recedes.

100. *Sex Equity Programs—General Provisions.* Both the House bill and the Senate amendment make similar requirements for sex equity programs. Provisions are identical, with the exception of the two items noted below:

(a) The Senate amendment, but not the House bill, includes comprehensive career guidance and counseling among activities to eliminate sex bias and stereotyping.

The House recedes. The managers have agreed on a State-level requirement for guidance and counseling and not on a requirement for such activities within each local program.

(b) The House bill refers to "preparatory services for applied technology education and applied technology education programs."

The Senate bill refers to "vocational and prevocational education programs."

The Senate recedes on preparatory. The House recedes on "applied technology".

101. *Sex Equity Programs—Secondary School Level.* The Senate amendment, but not the House bill, adds new provisions dealing with sex equity in schools offering secondary programs. Schools must provide: equal access to nontraditional occupation education and training and to the full range of vocational programs, programs to overcome sex bias/stereotyping, programs to expand outreach to nontraditional occupations, supplementary services, and programs to increase and provide support services. The sex equity coordinator must review these programs and services.

The House recedes with an amendment applying requirements to postsecondary institutions.

102. *Sex Equity Programs—Competitive Awards.* The House bill, but not the Senate amendment, adds a new section requiring that the administrator of the sex equity and homemakers programs distribute the funds for both programs on a competitive basis and collect data from recipients so that evaluations can be conducted.

The Senate recedes with an amendment regarding size, scope and quality so as to ensure success. The requirement to distribute funds for sex equity and single parent/displaced homemaker programs on a competitive basis does not mean that programs may not receive continuing support from year to year if they continue to compete successfully. It is intended that successfully operating programs be supported through continued funding and that States not apply a maximum number of years a program may be funded. It is intended that the distribution of funds for the sex equity and single parent/displaced homemaker programs be based on information and needs identified by the sex equity coordinator. The funding formulas for basic grant funds are not applicable to these programs.

103. *Secondary Programs—Within State Allocation.* The House bill requires each State to allocate basic State grant funds (Title II) by formula to each LEA serving secondary students as follows: Each local educational agency within the State would receive an allocation based on its relative share of Chapter 1 basic grants (70 percent of the allocation), handicapped students (20 percent), and general enrollment—including adults enrolled in training programs (10 percent) within the State. (The State may decide how much of its Federal funds will be spent on secondary programs.)

The Senate amendment requires the State to allocate the amount reserved for secondary programs to each local educational agency in proportion to the amount of funds such agency received in basic and concentration grants under Chapter 1.

The Senate recedes. An LEA may receive funds directly or designate a fiscal agent to receive such funds in the case where LEAs form a consortium.

104. *Secondary Programs—State Correctional Program.* The Senate amendment, but not the House bill, requires the State board to ratably reduce the funds reserved for secondary programs to provide monies to the State corrections education agency in an amount substantially equal to the amount it would have received had it been eligible for Chapter 1, but not more than 5 percent of the total secondary program reserve. The age of individuals in correctional institutions to be counted shall be 9 through 35, although services are not limited to those in this age group.

The House recedes with an amendment treating the correctional agency or agencies as an LEA and includes in the count of individual criminal offenders in all non-Federal correctional institutions within the State, provides that the funds shall be made available to a correctional agency or agencies designated by the State board, and treats such correctional agency or agencies as if they were LEAs applying for grants to the State board.

105. The Senate amendment requires an allocation to be equal to or exceed $25,000 in order for an LEA, area school, or intermediate agency to be eligible. Such entities, however, may form consortia and aggregate their individual amounts in order to achieve this threshhold. The $25,000 minimum grant requirement does not apply to State correctional agencies.

The House bill provides that any LEA receiving a grant of not more than $5,000 must participate in a consortium. The State, however, may waive this requirement for an LEA in a rural or sparsely populated area which demonstrates an inability to form a consortium.

The House recedes with an amendment of a $15,000 minimum grant with a waiver for school districts that are unable to form a consortium if in a rural, sparsely populated area.

106. (a) *Secondary Programs—Redistribution of Funds.* The Senate amendment, but not the House bill, provides that amounts not allocated due to LEA's not meeting the $25,000 funding threshold shall be redistributed to LEAs in accordance with the provisions of the section

The Senate recedes with same amendment as #105.

(b) The House bill requires that the amount which would have gone under this formula to LEAs serving only elementary schools must be allocated to LEAs with secondary schools educating the students from such elementary school districts. Conversely, the amount to be allocated to an LEA only serving secondary schools is determined based on the number of students that enter such secondary schools from the elementary schools involved.

The House recedes on 1st sentence.

The Senate recedes on 2nd sentence.

(c) The Senate amendment prevents any LEA only serving elementary schcols from receiving funds and redistributes such funds to the local or regional educational agency which provides secondary school services in the same attendance area.

The House recedes.

(d) The Senate amendment provides that amounts available to LEAs served by an area vocational school shall be made available to the area school. A State agency is permitted to distribute funds to both an area school and an LEA served by such school, if the area school and the LEA offer comparable programs. In such a case, the $25,000 minimum must be met both by the area school and the LEA

The House recedes with the same amendment as #75(k).

107. *Secondary Programs—Intermediate Educational Agency.* The Senate amendment, but not the House bill, provides that where an intermediate educational agency and an LEA served by such an intermediate educational agency offer comparable voc ed programs, the State agency may distribute funds to both an intermediate educational agency and an LEA served by such an agency if the $25,000 minimum is met.

The House recedes with same amendment as #75(k).

108. *Secondary Programs—LEA Notification to State.* The House bill, but not the Senate amendment, requires an LEA to notify the State of the portion of its allocation which should be distributed to the LEA, to any consortium in which such LEA participates, or to any area school.

The Senate recedes with same amendment as #75(k).

109. The House bill requires an LEA to notify the State of the portion of its allocation which should be distributed to the LEA, to any consortium in which such LEA participates, or to any area school. Further, any LEA sending students to an area school must participate in a consortium with such school and with any other LEAs sending students to such schools and must provide a relative percentage of its allocation to be sent to such school based on the relative percentage of special needs students in that school who are from that LEA.

The Senate amendment requires an area vocational school to be allocated the funds which are available to LEAs served by that school. Intermediate educational agencies would also receive the funds allocated to LEAs served by that agency.

The Senate amendment, however, permits a State agency to distribute funds to both an area school and an LEA served by such area school if the area school and the LEA offer comparable programs. In such a case, the $25,000 minimum requirement must be met both by the area school and the LEA.

The House recedes with same amendment as #75(k).

110. *Secondary Programs.—State Reserve.* The Senate amendment, but not the House bill, permits States to reserve up to 10% of secondary school program funds to make special allocations to areas experiencing severe hardships and whose percentage, or concentration, of these hardships are above the statewide average. Such severe hardships include: severe unemployment, severe poverty concentration, high dropout rate, high crime rate, high incidence of drug abuse, or high concentration of LEP students. Funds may be distributed to LEAs, area vo-tech schools, intermediate educational agencies, or community colleges. Such reserved funds would have to be matched by the State using State sources or private sources. No funds from LEAs, area schools, or intermediate agencies may be used to meet this matching requirement. In addition to such distributions, a State may use these reserved funds at community colleges for programs providing high school diplomas to youths 16 through 18 if these community colleges match the grants.

The Senate recedes.

111. *Postsecondary Education Allocation.* (a) The House bill requires each State to distribute by formula the amount it reserves for postsecondary and adult programs. Each eligible institution would receive a relative share of these funds based on its numbers of Pell grant and BIA grant recipients (70% of the allocation), handicapped individuals receiving assistance under the Rehabilitation Act (20%), and general enrollment (10%), within the State. A State is permitted to use training enrollment in lieu of general enrollment if the State determines that applied technology programs offered by eligible institutions are clearly distinguishable from other education programs offered by such institutions.

The Senate recedes with an amendment establishing the relative distribution of Pell and BIA grants among recipients enrolled in Perkins eligible programs in institutions of higher education, LEAs serving adults, and area schools serving adults, as the basis for distributing postsecondary funds within a State but permitting a State to apply to the Secretary for a waiver for an alternative formula proposing one or more substituting or additional factors, such as participation in publicly-funded student aid, AFDC, or JTPA programs, if such alternative results in better targeting of funds to institutions with the highest numbers of economically disadvantaged students and adults enrolled in Perkins eligible programs. A minimum grant of $50,000 is required. If the institutions decline to use the money, it shall revert back to the State to be redistributed consistent with the purposes of this Act.

(b) The Senate amendment reserves for postsecondary and adult programs 25%–35% of the 75% available for secondary, postsecondary, and adult programs and permits States to distribute these funds on either a competitive basis or formula determined by the State board.

The Senate recedes with same amendment as in #40.

(c) The Senate amendment permits a State to distribute the funds it reserves for these programs on either a competitive basis or by formula. Unlike the House bill, the Senate amendment permits such grants to be awarded to community-based organizations.

The Senate recedes.

112. *Postsecondary Programs—Priorities.* The Senate bill, but not the House amendment, gives priority to: (a) programs serving special populations; (b) apprenticeship programs; (c) programs strongly tied to economic development efforts within the State; (d) programs which train in all aspects of the occupation where job openings are projected or currently available, provide comprehensive career guidance and counseling, and are developed in conjunction with business/labor/industry/the community/the State board/other local eligible recipients, and focus on the most salable, highest placement aspects of the industry; and (e) partnerships with business/industry/labor.

The House recedes with an amendment establishing for postsecondary institutions the same criteria for local uses of funds as are applicable to secondary schools. Permissive uses of funds include tech-prep, apprenticeship, economic development, and programs involving all aspects of the industry.

113. *Postsecondary Programs—Reallocation of Funds.* The House bill, but not the Senate amendment, requires each LEA and eligible institution which does not expend all of its funds in one academic year to return such funds to the State for reallocation. If the State is not able to reallocate, then it may retain such funds to be distributed in the following academic year.

The Senate recedes.

114. *Postsecondary Programs—Coordination with other Programs*

The Senate recedes.

The Senate amendment requires that postsecondary awards be coordinated with programs and services provided through JTPA, the Adult Education Act, and the Family Support Act.

The House recedes retaining the provision with the exception of the formation of a human investment council.

115. *Secondary Programs—Minimum Grant Size.* The House bill provides a minimum grant size of $5,000. Any LEA receiving a grant of less than $5,000 must participate in a consortium.

The Senate amendment requires a minimum grant size of $25,000 in order for an LEA area school, or intermediate agency to be eligible for funds. Such entities may form consortia and aggregate their individual amounts in order to achieve this threshold.

Secondary Programs—Minimum Grant Size Exemption. The Senate amendment, but not the House bill, exempts State correctional agencies from the minimum grant requirement.

The House recedes with same amendment as #105.

116. *Secondary Programs—Minimum Grant Size Waiver.* The House bill, but not the Senate amendment, permits a State to waive the minimum grant requirement for an LEA in a rural or

sparsely populated area which demonstrates an inability to form a consortium.

The Senate recedes with same amendment as #105.

117. *Secondary/Postsecondary Funding—Hold Harmless.* The House bill, but not the Senate amendment, provides a hold harmless with no LEA or eligible entity receiving less than 80% of the average of its allocation percentage for each of the 3 preceding fiscal years; in the second and third fiscal years, no less than 80% of the allocation percentage for the preceding fiscal year. In the event a State does not receive sufficient funding to pay the full hold harmless amount, payments will be ratably reduced.

The House recedes.

118. *Secondary/Postsecondary Funding—Duplication.* The House bill, but not the Senate amendment, forbids Federal funds from being used to duplicate facilities or services unless alternative services or facilities would be more effective.

The Senate recedes.

119. *Secondary/Postsecondary—Allocation Percentage.* The House bill, but not the Senate amendment, defines "allocation percentage" for this subsection as the percentage which an LEA or eligible institution received of the total amount allocated under this section or allotted under the previous Perkins Act to all agencies and institutions in the State.

The House recedes.

120. *Postsecondary Programs—Eligible Institutions.* The House bill defines "eligible institution" as any secondary school, area school, technical institute, community college, or institution of higher education designated by the State that offers programs qualified for funds under the basic State grant and that seeks to receive assistance. (This definition is applicable to both secondary and postsecondary programs.). In addition, the House bill permits an LEA to apply for funds as part of a consortium with other LEAs or eligible institutions of higher education to conduct programs.

The Senate amendment does not define "eligible institution" but makes eligible for postsecondary funding: (a) postsecondary education institutions, (b) LEAs for programs for adults in secondary schools, (c) area vocational schools serving postsecondary students or adults, (d) community-based organizations providing vocational education to adults, (e) any of the above entities in partnership with business/industry/labor, and (f) consortia of the above entities.

The House recedes with an amendment defining "eligible institution" as an institution of higher education, an LEA serving adults, or an area vocational education school serving adults. In addition, the definition of postsecondary education is clarified to include BIA controlled postsecondary education institutions.

121. *Secondary/Postsecondary Funding—Definitions.* The House bill, but not the Senate amendment, adds "institution of higher education" and "Pell Grant recipient" to the list of definitions for Title II.

The Senate recedes.

122. *Use of Funds.* The House bill retains the application provision from current law and proposes new limitations on the use of

Federal funds. Each LEA and eligible postsecondary institution may only use its funds to:

(1) first serve schools with the most special needs students and which have programs in greatest need of improvement;

(2) provide programs that integrate academic and occupational disciplines, offer coherent sequences of courses leading to a job skill, offer counseling, assist special needs students through supportive services, are of sufficient size, scope and quality, and cooperate with the sex equity program. The House bill also retains the provision from current law permitting the State to fund programs in private-for-profit institutions.

The Senate recedes with same amendment as #75(h).

123. The Senate amendment has separate requirements for use of funds for secondary programs and for postsecondary and adult programs. The Senate amendment requires that secondary school funds be spent only on the following populations: economically disadvantaged students, individuals with disabilities, individuals who participate in programs designed to eliminate sex bias, economically disadvantaged adults, and criminal offenders.

The Senate recedes. The managers intend that programs for adults may be supported from either the secondary or postsecondary allocation received by an area school or LEA serving adults. In addition, postsecondary institutions serving high school students, ages 16–18 would be eligible for funding from either the secondary or postsecondary allocations.

124. *Use of Funds—Assessment.* The Senate amendment, but not the House bill, requires the services provided under the basic State grant to be identified and designed through an assessment of the interests, abilities and needs of special population students and shall reflect the participation of both parent and student, and guidance counseling activities to criminal offenders.

The House recedes with an amendment requiring the participation of students and parents.

125. *Use of Funds—Administrative Costs.* The Senate amendment, but not the House bill, limits the amount of basic State grant funds to be used by local recipients for administrative costs to no more than 5%.

The House recedes with an amendment also applying to postsecondary recipients.

126. *Use of Funds—Community-Based Organizations.* The Senate amendment, but not the House bill, permits secondary schools to use funds to develop programs in consortia or in cooperation with community-based organizations.

The House recedes.

127. *Use of Funds—Programs Which May Be Offered.* Both the House bill and the Senate amendment authorize funds for programs which integrate academic and occupational disciplines; requires such integration "to the extent practicable." The House bill requires a "coherent sequence of courses leading to a job skill" while the Senate bill requires a "sequential course of study" which motivates students to excel and incorporates business and industry.

The Senate recedes with an amendment regarding providing counseling throughout the course of study as a permissive use of funds.

(a) The House bill authorizes programs which use counseling to encourage students, while the Senate amendment requires programs to provide comprehensive guidance and counseling by grade 9 and throughout the vocational program.

The Senate recedes with amendment regarding providing counseling throughout the course of study.

(b) The House bill requires support services for special populations while the Senate bill mandates supplementary services which enable special populations to participate fully in programs.

The House recedes with the same amendment as #75(h).

(c) The House bill uses the phrase "of such size, scope, and quality to bring about improvement" while the Senate amendment uses the phrase "give reasonable promise of meeting the vocational needs of the students in describing the requirement that projects be of sufficient size, scope and quality.

The Senate recedes with an amendment providing that programs be of such size, scope, and quality as to be effective.

(d) The House bill authorizes programs which seek to cooperate with activities of the sex equity programs while the Senate bill authorizes programs to eliminate sex bias in addition to the sex equity reserve at the state level.

The House recedes with the same amendment as #75(h).

128. *Informational.* (b)(1) The Senate amendment has separate sections for use of funds for secondary programs and for postsecondary and adult programs.

Secondary programs must use funds to provide special needs students with supplementary services, ensure that programs for such individuals are of the highest quality and state-of-the-art, and support additional staff, equipment, materials, and services for such individuals. Secondary programs shall, to the extent practicable, use funds for special needs individuals to integrate academic and vocational training, providing a sequential course of study, and which encourages use of the business-industry model of applied learning. These programs must also provide program improvement to upgrade instruction and must designate a special populations coordinator. Further, comprehensive guidance and counseling must be provided to students below 9th grade and to their parents. Once the needs of special population students are met, then funds may be used to benefit other populations. No more than 5% of a local grant may be used for administrative costs. Equipment purchased under the Act may be available for instructional purposes not related to special needs students if certain conditions are met.

The Senate recedes with same amendment as #75(h).

129. *Use of Funds—Private Institutions and Employers.* The House bill permits a State, LEA, or eligible institution to use a portion of their respective allotments to provide educational training through arrangements with private applied technology training institutions, private postsecondary educational institutions, labor organizations, joint labor-management apprenticeship programs, and employers whenever such institutions or employers can make a significant contribution to State plan objectives and can provide substantially equivalent training at a lower cost or can provide equipment or services not available in public institutions.

The Senate amendment permits postsecondary and adult grant funds to provide education and training through arrangements with private vocational training institutions, private postsecondary educational institutions, and employers under the same conditions specified in the House bill.

The Senate recedes.

130. *Coordinator.* The Senate amendment, but not the House bill, requires the local recipient to designate a special populations coordinator to ensure that special populations are receiving services. Funds for the coordinator shall be paid from administrative monies.

The Senate recedes with an amendment making a permissible use of local administrative money the payment, in whole or in part, of a special populations coordinator's salary.

131. *Use of Funds—Tech Prep.* The Senate amendment, but not the House bill, permits the use of secondary school funds for tech prep programs for special populations.

The House recedes with an amendment not limiting to special populations, and not limiting to secondary programs.

132. *Use of Funds—Other Than Special Populations.* The Senate amendment permits secondary funds with respect to curriculum development and program improvement to be used for other populations once the needs of special population students are met.

The Senate recedes with same amendment as #75(h).

133. *Use of Funds—Equipment.* The Senate amendment, but not the House bill, provides that equipment purchased with federal secondary school funds with respect to curriculum development and program improvement may be used for instructional purposes not related to special needs students if the acquisition of the equipment: was reasonable and necessary, if it is used after regular school hours or on weekends, and if such other use is incidental to the use of the equipment, does not interfere with the use of that equipment, and does not add to the cost of its use.

The House recedes. The managers intend, by adopting this provision, to make more widely available equipment purchased with Federal funds. For instance, data processing equipment used in Perkins-supported programs during the regular school day could be made available for adult literacy courses at night. The managers want to emphasize that nothing in this section is designed to place limitations on use of equipment in Perkins funded programs.

134. *Use of Funds—Consultation.* The Senate amendment, but not the House bill, requires local recipients to provide for consultation with members of special populations, students, parents, teachers, workers and members of community-based organizations in the planning of secondary school programs.

The House recedes with the same amendment as #75(h).

135. *Report.* The Senate amendment adds a new requirement that the local application must contain a report on the number of special population individuals being served and must assess the needs of special populations and the planned use of funds to meet those needs. This application must also show that parents and special population students have been involved in developing programs and there has been coordination with community-based organizations. The special needs coordinator must review and com-

ment on the assurances in the application regarding services to those populations.

The House recedes on first two sentences.

The Senate recedes on the third sentence.

136. *Performance Evaluation and Improvement.* The House bill requires each State to review all programs in secondary and postsecondary institutions.

The Senate amendment requires that: (a) *secondary* programs receiving basic State grant funds develop goals and evaluate the effectiveness of programs with respect to basic and occupational skills and the ability to meet the needs of special populations; (b) local recipients consult with the State in developing measurement criteria; (c) if a local entity is not making substantial progress in meeting performance criteria, the entity must develop a program improvement plan; and (d) regular program reviews, including participation of special population representatives, must be done to overcome any barriers resulting in lower rates or access or success for special populations. The Senate amendment further requires the local recipient to consult with the State board in developing the measurement criteria.

The Senate recedes with amendments requiring each eligible recipient with full participation by representatives of special populations to annually evaluate the effectiveness of the program based on the standards and measures set forth. If no progress is shown after the first year, the eligible recipient will develop a plan in consultation with teachers, parents, students and all others involved. In addition, the amendment requires that if student progress has not been made after one year of implementation of the plan by the LEA, the State and LEA will work together to develop a joint plan for improvement. If after one year of implementation of the joint plan, no progress is made, the State and LEA will make revisions for each consecutive year until performance is sustained over a period of more than one year. These amendments also apply to "sex equity and displaced homemakers" programs.

137. *Program Improvement Plan.* The Senate bill, but not the House amendment, requires that each entity operating a secondary program must adopt an improvement plan if substantial progress is not being made to meet the evaluation criteria. If, after one year of implementation of this plan, sufficient progress has not been made, the State shall work jointly with the local entity (and teachers, parents, and students) to develop a further plan of program improvement which will include technical assistance from the State and a timetable for improvement.

The House recedes with an amendment requiring that if student progress has not been made after one year of implementation of the plan by the LEA, the State and LEA will work jointly to develop a plan for improvement. If after one year of implementation of the joint plan, no progress is made, the State and LEA will make revisions for each consecutive year until performance is sustained over a period of more than one year.

138. *Special Populations.* (a) The House bill contains requirements for State level assurances and for local assurances that special populations will be served. The State Board must assure that such populations have access to programs and that individuals with

handicaps be served in conformity with the Education of the Handicapped Act and Section 504 of the Rehabilitation Act. The State must also assure that programs for special populations will be monitored and will be supervised by individuals in the State responsible for such populations. Each local educational agency must provide specific information to special population students one year before they would be eligible for programs. Each LEA and institution of higher education must assure that the special needs of these students are being met in integrated settings and through adopting a curriculum and providing counseling. The State must also provide for participatory planning in the creation of programs and for an appeal procedure.

The Senate recedes.

(b) The Senate amendment includes: the economically disadvantaged, individuals with disabilities, individuals who participate in programs designed to eliminate sex bias and stereotyping in vocation education, LEP students, economically disadvantaged adults, and criminal offenders—both juveniles and adults—who are serving in correction institutions as special populations.

The House recedes.

(c) The Senate amendment contains State assurances regarding special populations in the State plan. The amendment also requires the special populations to be served by local secondary agencies, but has different provisions for the populations to be served by post secondary agencies.

The Senate recedes.

139. *Special Populations—Adults.* The Senate amendment, but not the House bill, permits any LEA with a student enrollment exceeding 100,000 which served economically and education disadvantaged adults in FY 1990 to continue to serve such adults with the same proportionate amount of funds as they used for that purpose in FY 1990.

The Senate recedes.

140. *Special Populations-Assurances/Disadvantaged.* The House bill requires that the State board provide assurances that all special populations (in both secondary and postsecondary programs) be provided with equal access to recruitment, enrollment, and placement activities and that they be provided equal access to the full range of programs available to others (including occupationally specific courses of study, cooperative education, and apprenticeship programs) and *shall not be discriminated against on the basis of their status.* The education of disadvantaged students will be monitored to assure they have access in the most integrated setting possible.

The Senate recedes.

141. The Senate amendment contains similar provisions that secondary school program recipients provide disadvantaged students with equal access in recruitment, enrollment, and placement activities and with equal access to the full range of vocational programs (including occupational specific courses of study, cooperative education and apprenticeship programs), *and also requires comprehensive career guidance and counseling services and the supplementary services necessary to ensure full participation in programs.*

The House recedes with an amendment that comprehensive guidance and counseling be provided "to the extent practicable".

142. *Special Populations—Assurances/Students With Disabilities.* In addition to the general assurances for special populations, the House bill requires individuals with handicaps be served in conformity with the EHA and Section 504 of the Rehabilitation Act and in the least restrictive environment. If the student has an IEP, services must be provided in accordance with it. If a student does not have an IEP, services will be provided under Section 504 guarantees. Planning for such individuals must be coordinated between appropriate representatives of vocational education, special education, and State vocational rehabilitation agencies. Their education will be monitored and supervised in conjunction with supervision by the State agency administering EHA.

The Senate recedes with an amendment "and for the purpose of this Act such rights and protection shall include making vocational education programs readily accessible to qualified individuals with disabilities by the provision of services defined in sections of this Act".

143. The Senate amendment requires secondary school program Title II recipients to provide students with disabilities equal access to recruitment, enrollment, placement, and a full range of vocational programs in the least restrictive environment, as well as in conformance with the vocational education component of an IEP. *Supplementary services must be provided.* Planning must be coordinated with appropriate representatives of vocational and special education. The head of the State office responsible for administering Part B of EHA must review the planning. The equal access provisions of Section 504 and EHA will be applied.

The Senate recedes with an amendment inserting language after the word "institution", "and when appropriate, assist in the preparation of applications".

144. *Special Populations—Assurances/Educationally Disadvantaged.* The House bill limits the term "disadvantaged" to only those economically disadvantaged.

The Senate amendment defines "disadvantaged student" to mean a student who is economically or educationally disadvantaged.

The House bill requires the State to monitor access to programs for economically disadvantaged. The Senate bill requires the Chapter 1 coordinator to monitor services, and further requires each local recipient to provide equal access and supplementary services for economically disadvantaged students.

The House recedes on the first two sentences.

The Senate recedes on the third and fourth sentences.

145. *Special Populations—Assurances/LEP.* In addition to the general population assurances, the House bill requires that LEP students have access in the most ingregrated setting possible.

The Senate amendment requires that secondary school program recipients assured equal access in recruitment, enrollment, placement, and full range of programs. In addition, *supplementary services must be provided, such as adapted vocational instruction, communication and counseling in the students' language, and bilingual and cultural counseling.* Planning for LEP students must be reviewed by the head of the State office responsible for education of LEP students.

The Senate recedes.

146. *Special Populations—Provision of Information.* The House bill, but not the Senate amendment, requires that LEAs provide special population students and their parents with information regarding opportunities, eligibility requirements, specific courses, special services, employment opportunities, and placement at least one year before the students enter vocational training. Postsecondary institutions must provide such information upon request or when a special population student seeks admission. Information must be presented in an understandable form.

The Senate bill requires guidance and counseling of all special populations in grade 9 in the course of study in each program, its requirements, postsecondary, apprenticeship, and career opportunities. In addition, the Senate bill requires guidance and counseling services at the prevocational level.

The Senate recedes of first paragraph with an amendment "and when appropriate, assist in the preparation of applications".

The House recedes on second paragraph with amendment contained in #75(h).

147. The House bill requires an assurance that each LEA or higher ed. institution will assess the special needs of participating students and provide special services, while the Senate amendment requires each postsecondary school to provide equal access and supplementary services and to regularly review the program. Each local recipient of secondary school funds is required to provide supplementary services, and to assess the abilities and needs of the students.

The Senate recedes with an amendment including a new paragraph: "(1) Assist students who are members of special populations to enter vocational education programs. With respect to students with handicaps, institutions of higher education shall assist local education agencies in fulfilling the transition requirements of the Education of the Handicapped Act".

148. The House bill requires each grant recipient to provide counseling services for the transition from school to work, while the Senate amendment requires each secondary school recipient to provide guidance and counseling for part-time and summer employment while in school, and for post-school employment.

The House recedes and the Senate recedes.

149. The House bill, but not the Senate amendment, requires LEAs in a consortium to determine each school's relative share of special populations.

The House recedes.

150. *Special Populations—Participatory Planning.* The House bill requires the State board to establish procedures to assure direct participation in State and local decisions by parents, students, teachers, and area residents; provide procedures by which such individuals may appeal adverse decisions; and provide technical assistance to assure that such individuals receive the information needed to use these procedures.

The Senate recedes with an amendment to include an appeals procedure as part of the assurances. It is expected that the participatory planning requirements will help ensure that vocational education programs are responsive to the needs of the students, the special populations, and the communities they serve, and that these programs will work in the manner Congress intended. It is the intent of the managers that the expedited appeals procedure or any other provisions in this law will in no way restrict an individual's ability to pursue remedies under any other provision of law.

151. *Special Populations—Assurances/Programs for Criminal Offenders.* The Senate amendment, but not the House bill, requires State correctional education agencies receiving Title II funds to administer vocational programs for male and female criminal offenders to update equipment. Funds are to be distributed to correctional institutions in proportion to the number of individuals served by each facility.

The House recedes with an amendment which makes criminal offenders in non-Federal correctional institutions, including county and local correctional institutions, eligible for services; requires programs to coordinate with eligible recipients in the provision of services to offenders both prior to and following release, gives special consideration for services to inmates who are completing their sentences and preparing for release, and requires that special consideration in the awarding of funds be given to correctional institutions at which vocational education programs are not currently available.

152. *Special Populations—Other Remedies.* The House bill, but not the Senate amendment, has a disclaimer which indicates that nothing in the subsection shall be construed to limit remedies available under any other provision of law.

The House recedes.

153. *Use of Funds—Postsecondary.* The Senate amendment, but not the House bill, establishes separate requirements for postsecondary and adult programs. It provides grants for postsecondary and adult vocational education programs for: (a) training older individuals, (b) the costs of serving adults in other vocational programs, (c) training programs designed cooperatively with employer or labor, (d) industry-education-labor partnerships in high technology fields, (e) programs offering high school diplomas to individuals aged 16–18, and (f) tech-prep. The State must use funds available under this part for apprenticeship training. The State may also use these funds for comprehensive tech prep programs and State-wide mentoring programs.

The Senate recedes.

154. *Use of Funds—Postsecondary/Apprenticeship Programs* (Page 95). The Senate amendment, but not the House bill, requires that postsecondary basic State grant funds shall be used for apprenticeship programs.

The Senate recedes.

155. *Use of Funds—Postsecondary/Private Institutions & Employers.* The House bill permits funds to be used to provide education and training through arrangements with private institutions (including labor organizations and joint-labor management apprenticeship programs).

The Senate amendment allows postsecondary & adult grants to be used to provide education and training through arrangements with private vocational training institutions, private postsecondary educational institutions, and employers if those institutions can make a significant contribution at a lesser cost—or provide equipment or services not otherwise available.

The House recedes with an amendment adding labor organizations and apprenticeship programs.

156. *Use of Funds—Postsecondary/Mentoring.* The Senate amendment, but not the House bill, permits a State board to award grants for mentoring programs to institutions of higher education offering comprehensive programs in teacher or counselor preparation. The mentoring program must establish partnerships aimed at preparing and meeting the continuing needs of vocational educators and counselors, provide competency-based teacher education programs, and assess professional education skills. The program shall employ highly qualified classroom educators as mentors to assist with the program.

The House recedes with an amendment including "mentoring" in the list of permissive activities.

157. *Use of Funds—Postsecondary/Special Populations* (Page 97). The Senate amendment requires that postsecondary program fund recipients provide special populations equal access recruitment, enrollment, placement, and vocational programs and offer needed supplementary services. Recipients must regularly review such programs, with such groups, to identify barriers to success.

The House bill requires that Perkins dollars first serve these populations.

The Senate recedes on first two sentences.

The House recedes on last sentence.

158. *Administrative Provisions—Supplement, Not Supplant.* The Senate amendment, but not the House bill, adds a new supplement but not supplant requirements, but permits an exception for services under an IEP pursuant to the Education of the Handicapped Act and services under Section 504 of the Rehabilitation Act.

The House recedes.

159. *Administrative Provisions—State Consideration of Fed. Aid.* The Senate amendment, but not the House bill, adds a new requirement barring a State from considering Federal aid in distributing other aid within the State.

The House recedes.

160 *Administrative Provisions—Waiver Authority.* The Senate amendment, but not the House bill, permits the Secretary to waive the two new requirements listed above for FY 1991 through 1993 for any State that has spent for postsecondary education programs more than 70% of the funds available under this title for FY 1989.

The Senate recedes.

161. *Administrative Provisions—Size, Scope, Quality.* The Senate amendment, and the House bill, require that postsecondary programs be of sufficient size, scope, and quality to give promise of meeting the needs of students.

The House recedes with a conforming amendment to apply provisions on size, scope, and quality to secondary schools.

162. *Administrative Provisions—Other Allowable Programs.* The Senate amendment, but not the House bill, permits postsecondary program funds to be used for work-site programs, placement serv-

ices, and programs which involve students in meeting the needs of the community.

The House recedes.

163. *Administrative Provisions—Academic Credit.* The Senate amendment, but not the House bill, permits the State board to consider granting academic credit for vocational courses which integrate core academic competencies.

The House recedes.

164. *Administrative Provisions—Waiver of "Split".*—The Senate amendment, but not the House bill, permits a State to petition the Secretary for a waiver of the requirements that 65–75% of Perkins funds must be spent for secondary programs. The Secretary may approve such waiver only if certain conditions are met, such as the need to serve more effectively special populations enrolled in secondary or area schools or having dropped out of high school. In case of a waiver, such funds must be directed to serve such populations to become better trained or to achieve a high school diploma and such funds must be spent in postsecondary schools with high concentrations of special populations. The Senate secondary school agency is afforded the opportunity to file objections to such waiver petition. If granted, such waiver cannot permit less than 50% of a State's Perkins funds to be used for secondary programs except for a demonstration program in no more than five States under certain conditions.

The Senate recedes.

165. The Senate amendment, but not the House bill, also permits the Secretary to establish a demonstration program for no more than 5 states to spend up to 65% for postsecondary and adult programs. In selecting the five states, the Secretary is required to take into consideration the school dropout rates, state unemployment figures and the demand for postsecondary and adult education programs.

The Senate recedes.

166. *Regulations.*—The House bill, but not the Senate amendment, requires the Secretary of Education to issue regulations in consultation with the Secretaries of Labor, and Health and Human Services.

The Senate recedes with an amendment striking the Secretary of Health and Human Services.

167. *Special Programs—Community-Based Organizations.* The Senate amendment, but not the House bill, permits community-based organization funds to be used for model programs for school drop outs.

The House recede.

168. (a) *Special Programs—Consumer and Homemaking Education.* The House bill, but not the Senate amendment, requires that any sex bias programs funded with home economics money must be administered in cooperation with the State sex equity program.

The Senate recedes.

168. (b) The House bill requires the state to provide a full-time state administrator, whereas the Senate amendment makes this permissive.

The Senate recedes.

169. *Special Programs—Repealers.* The House bill repeals Part C, Adult Training, The Senate amendment repeals Part C, Adult Training; Part D, Career Guidance and Counseling; and Part E, Industry-Education Partnerships. The Senate amendment, but not the House bill, transfers the guidance and counseling program from Title III to Title IV as an authorized program under National Demonstration programs.

The Senate recedes with the same amendment as in No. 16, but authorization for the career guidance and counseling and industry-education partnerships programs are triggered at $1 billion in funding for the basic State grant.

170. *Special Programs—Guidance and Counseling/Career Info.* The House bill, but not the Senate amendment, amends the guidance and counseling program by authorizing the development of career information delivery systems.

The Senate recedes.

171. *Special Programs—Guidance and Counseling/R&D Seaside.* The House bill, but not the Senate amendment, adds a new requirement that not less than 20 percent of the sums available under career guidance and counseling must be used for research and demonstration projects demonstrating student outcomes.

The House recedes.

172. *Special Programs—Business-Labor-Education Partnerships.* The House bill revises the business-labor-education partnership program by changing the findings and purpose to broaden its scope beyond the high technology occupations and to emphasize coordination with JTPA. Specifically, the House bill:

The Senate recedes with an amendment to authorize at $10 million, triggered at $1 billion in appropriations for the basic State grant.

(a) Revises the authorization of grants to include (i) apprenticeships, (ii) new equipment, (iii) cash contributions to programs, (iv) teacher internships and training, and (v) bringing representatives of business and organized labor into the classroom.

The Senate recedes with an amendment adding the Senate uses of funds to list of activities and eliminating cash contributions to programs.

(b) Requires the State to provide 60 percent of the funds for the partnerships;

The Senate recedes with an amendment clarifying that the 60 percent is for small businesses as defined by the Secretary of Labor or labor organizations. Otherwise, a 50 percent match is required.

(c) Gives preference to partnerships that coordinate with local groups;

The Senate recedes with an amendment adding priority for partnerships providing job training in areas with significant labor shortages.

(d) Requires that grants be equitably distributed between rural and urban areas;

The Senate recedes with an amendment requiring nationwide geographic distribution.

(e) Requires that not less than 50 percent of the aggregate cost of programs and projects for these partnerships come from non-federal sources and not less than 50 percent of such non-federal share will be provided by participating businesses or labor organizations; and

The Senate recedes with an amendment clarifying that the 50 percent match is not applicable to small businesses or labor organizations.

The Senate amendment repeals Part E, Industry-Education Partnerships, and creates a new business-industry and labor partnership under National Demonstration Programs in Title IV. Under the new program, the Secretary is authorized to make grants to business-industry-labor partnerships to provide access to special populations, strengthen coordination, address economic development needs, provide training and career counseling to retain and upgrade worker and address the needs of new high-tech fields. Priority for grants will be given to areas with significant labor shortages.

The Senate recedes.

173. *Tech-Prep—Authorization.* The House bill authorizes the tech-prep program as Part E of title III, Special Programs, separately as a national program administered by the Secretary.

The Senate amendment authorizes tech-prep a Part B of Title II, the basic State grant.

The Senate recedes.

174. *Tech-Prep—Statement of Purpose.* Both the House bill and the Senate amendment create a new technology preparation program. The House bill, but not the Senate amendment, contains findings and a statement of purpose.

The Senate recedes.

175. *Tech-Prep—Funding.* The House bill authorizes $200 million in FY 1990 and such sums in FY 1991–1995 for tech-prep education.

The Senate amendment reserves 5 percent of each State's grant for State administered tech-prep programs.

The Senate recedes with an amendment setting $125 million for 1991 and then such sums.

176. *Tech-Prep—Eligible Recipients/Proprietary Schools.* The House bill includes as eligible tech-recipients non-profit institutions of higher education offering 2-year associate degrees or certificates and which qualify under Section 481(a) of the Higher Education Act, including institutions receiving assistance under the Tribally Controlled Community College Assistance Act of 1978. In addition, the House bill specifically makes eligible for funding proprietary institutions offering two-year associate degree programs which qualify under Section 481(a) of the Higher Education Act.

The Senate amendment includes institutions of higher education offering a 2-year associate's degree or a 2-year postsecondary certificate.

The Senate recedes with an amendment that institutions under a default management plan as required by the Secretary are not eligible tech-prep recipients.

177. *Tech-Prep—Eligible Recipients/Intermediate Agencies, BIA.* The Senate amendment, but not the House bill, includes as participants in consortia intermediate educational agencies serving secondary school students and secondary schools funded by the Bureau of Indian Affairs.

The House recedes.

178. *Tech-Prep—Federal Share.* The House bill, but not the Senate amendment, has a declining Federal share for the program. (Year 1: 100% for planning, Year 2: 80% for implementation/operation, Year 3: 70% for operation, Year 4: 60% for operation, Year 5: 50% for operation.)

The House recedes.

179. *Tech-Prep—Apprenticeship Programs.* The Senate amendment, but not the House bill, includes 2-year apprenticeship programs as part of tech-prep.

The House recedes with amendments requiring the apprenticeship program to be at least two years' duration and to follow a secondary education.

180. (a) *Degree.* The House bill requires the program to lead to an associate degree or certificate, while the Senate amendment requires that it lead to an associate degree.

The Senate recedes.

180. (b) Both the House bill and the Senate amendment requires training for counselors but in a somewhat different form.

The Senate recedes.

180. (c) The Senate amendment, but not the House bill, requires programs to provide equal access to special populations and to provide such populations with pre-vocational programs.

The House recedes with a conforming amendment to change "prevocational" to "preparatory".

181. *Tech-Prep—Counselor Training.* The House bill requires counselor training designed to assist counselors to more effectively recruit students, assure their successful program completion, and assure appropriate placement.

The Senate amendment makes the same provision for counselor training as is provided for teachers. In addition, programs *may* provide the same type of counselor training specified in the House bill.

The Senate recedes.

182. *Tech-Prep—Equal Access.* The Senate amendment, but not the House bill, requires programs to provide equal access to special populations and to provide such populations with pre-vocational programs.

The House recedes with a conforming amendment to change "prevocational" to "preparatory".

183. *Tech-Prep—Equipment/Technical Assistance.* The House bill permits programs to provide for the acquisition of tech-prep program equipment or instructional materials.

The Senate amendment permits programs to provide training for counselors to effectively recruit students, provided for acquisition of equipment, and acquire technical assistance from State or local entities with successful tech-prep programs.

The House recedes on permitting contracting with States for technical assistance. The Senate recedes on counselors.

184. *Tech-Prep—Submission of Application.* The House bill requires an application be submitted to the Secretary for approval.

The Senate amendment requires an application to be submitted to the State board for approval.

Blend provisions: at or under a $50 million appropriation, tech-prep is a Federal discretionary grant program; over $50 million, funds are distributed to States according to the basic grant formula.

185. *Tech-Prep—Plan Length.* The House bill provides for a five-year plan as part of local application.

The Senate amendment provides for a three-year plan.

The House recedes.

186. *Tech-Prep—Special Considerations.* The House bill requires that the Secretary give special consideration to applications which provide for effective transfer of students to 4-year degree programs, *demonstrate a commitment to continuing the program after termination of Federal aid,* are developed in consultation with business, industry and labor unions, and *address the needs of minority, LEP, handicapped and disadvantaged youths and issues of dropout prevention and re-entry.*

The Senate amendment requires that the Senate board give special consideration to effective transfer to 4-year programs and to plans developed in consultation with business, industry, and labor unions.

The House recedes on the first part regarding special consideration for those committed to continuing the program. The Senate recedes on last part regarding addressing needs of special populations.

187. *Tech-Prep—Equitable Distribution.* The House bill, but not the Senate amendment, requires an equitable distribution of grants between rural and urban areas and requires that the State be notified of applications and grants.

The Senate amendment requires that the Senate board give special consideration to effective transfer to 4-year programs and to plans developed in consultation with business, industry, and labor unions.

The Senate recedes with an amendment applying the provisions to the program at or under $50 million.

188. *Tech-Prep—Notice to States.* The House bill, but not the Senate amendment, requires each consortia submitting an application notice to the SEA and State agency for higher education and that the Secretary notify the State agency for higher education, SEA and State Human Investment Council when a tech-prep grant award is made in the State.

The Senate recedes with same amendment as in No. 187.

189. *Tech-Prep—Sequential Course of Study.* The Senate amendment, but not the House bill, includes as part of the definition of tech-prep sequential course of study.

The House bill includes a definition of "articulation agreement" which means a program to provide students with nonduplicative sequence of progressive achievement leading to competencies in a tech-prep program. (See Page 115.)

The Senate recedes.

190. *Tech-Prep—Reports.* The House bill, but not the Senate, requires the local recipients submit reports to the Secretary and that the Secretary shall submit a report to Congress regarding the effectiveness of this program.

The Senate recedes with an amendment limiting provision to program when appropriations are at or under $50 million.

191. *Tech-Prep—Definitions.* The House bill adds definitions of the term "articulation agreement" and "tech-prep education" to Title III, Part E—Definitions.

The Senate amendment, but not the House bill adds new definition for Title II, Part B, which include: "articulation agreement," "community college," (which included institutions under section 120(a) of the MEA and Tribally Controlled Community Colleges), and "technical preparation education program" (including the fields of agriculture, health, and business).

The House recedes on definition of "community colleges" and on the inclusion of agriculture, health and business in the fields of study. The Senate recedes on "tech-prep".

192. *Facilities Improvement and Equipment Acquisition.* The House bill, but not the Senate amendment, authorizes a new Title III, Part F—Improvement of Facilities and Equipment Acquisition—for the improvement of facilities and the acquisition of equipment.

The Senate recedes with an amendment authorizing $100 million for grants to States and LEAs, distributed according to the Chapter 1 concentration grant formula, for equipment and renovation (and if such needs are fulfilled, for program improvement).

193. *Facilities Improvement and Equipment Acquisition/Allotment.* The House bill, but not the Senate amendment, allots funds for the acquisition of equipment to each State in proportion to the number of children aged 5 to 17 eligible to be counted for Chapter 1. LEAs with Chapter 1 count of 204 or more may receive funds, and funds must be equally divided between rural and urban LEAs.

The Senate recedes with same amendment as in # 192.

194. *Supplementary Grants.* The Senate amendment, but not the House bill, adds a new Part F to Title III for Supplemental Grants, which authorizes $100 million in FY 1991 and such sums for the subsequent four years for grants to the States to improve vocational education (in LEAs, area schools, intermediate educational agencies) in economically depressed areas.

The Senate recedes.

195. If appropriations are over $500 million, the funds are distributed using a Chapter 1 formula. If under $50 million, the Secretary makes the grants. In cases where the Secretary makes grants, priority shall be given to States with high percentages of Chapter 1 eligible children, individuals in poverty, and school dropouts.

The Senate recedes.

196. In addition, state "level of effort" on education spending shall be considered in the awarding of grants by the Secretary, and grants shall be distributed equitably among geographic regions.

The Senate recedes.

197. In cases where States receive the funds, they must submit an application to the Secretary, and local recipients must submit applications to the State. States are required to distribute at least 954 of the funds by competitive grants to local recipients.

The Senate recedes.

198. *Community Education Employment Centers.* The Senate amendment, but not the House bill, creates a Part G of Title III—Community Education and Employment Centers and authorizes $16 million in each of FY 1991-1995 for grants to establish commu-

nity education employment centers. Such centers, not to exceed 10 nationally, are meant to provide comprehensive education, employment and social services for poor youths.

The House recedes with an amendment authorizing $10 million to be divided between lighthouse schools (25%) and community education centers (75%), but no appropriation unless the basic grant receives $1 billion. Another amendment requires the involvement of PICs and the coordination with JTPA and transition to employment in community education centers.

199. *Research—Technical Amendments.* The House bill, but not the Senate amendment, amends Section 401 of Title IV, Part A to include development in the title expand the definition of homemakers to homemakers and displaced homemakers, and to include a new provision authorizing additional research and development activities.

The Senate recedes.

200. *Research—Unsolicited Proposals.* The House bill amends Section 402 of Title IV to require research in vocational education to be done through OERI, expands the definition of homemakers to homemakers to displaced homemakers.

The Senate amendment amends Section 402 of Title IV to require research on vocational education be done through OERI, expanding research activities to include single pregnant and replacing the current subsection (b) with a provision to require the Secretary to fund meritorious, unsolicited research proposals.

The House recedes.

201. *Research—Annual Report.* The Senate amendment, but not the House bill, eliminates the requirement that the Secretary report annually a summary of research he funds.

The House recedes.

202. *Research—Performance Standards.* The House bill, but not the Senate amendment, expands Section 402 to require the Secretary to conduct research on developing performance standards and measures and the relationship of these to the data system to be established (Section 421) and to evaluate the use of performance standards, including their effect on student participation and outcomes.

The Senate recedes.

203. *Research—Advanced Skills/All Aspects of Industry.* The House bill, but not the Senate amendment, requires more advanced skills and problem-solving be included in research and successful methods for preparing students on all aspects of the industry they are preparing to enter. (The House bill also eliminates paragraphs 5 and 6 of the current law.)

The Senate recedes with an amendment regarding all aspects of the industry "the extent practicable."

204. The House bill, but not the Senate amendment, requires the Secretary to disseminate research and development results through certain agencies and authorizes the establishment of a national network for curriculum coordination.

The Senate recedes.

205. (a) The Senate amendment, but not the House bill, reserves 3.5% of funds reserved for national programs for the network.

The Senate recedes with an amendment including a reservation of funds for the national network for curriculum coordination.

(b) The Senate amendment, but not the House bill, requires that there be six regional curriculum coordination centers.

The House recedes.

206. *National Assessment.* (a) The House bill provides for a national assessment of vocational education to be conducted through the Office of Education Research and Improvement by an independent assessment group. Such assessment shall not be subject to any review before its submission to the Congress.

The Senate recedes.

(b) The Senate amendment provides for a national assessment to be conducted by the Secretary through studies conducted through competitive awards. An independent advisory panel must be appointed by the Secretary and this panel may submit its own analysis to the Congress. The Senate amendment, unlike the House bill, revises extensively the topics to be reviewed by this assessment.

The House recedes.

207. *National Assessment—Topics to Be Reviewed.* The House bill modifies Section 403 language on what the assessment shall include to add language regarding experience in and understanding of all aspects of the industry.

The Senate amendment extensively revises the list of items to be included in the assessment, including: effect on State and Tribal administration of programs, expenditures at all levels addressing program improvement, teacher preparation and qualifications, program participation—particularly by special populations, academic and employment outcomes (impact of educational reform, academic/vocations integration, school-to-work transition, relevancy of vocational training), employer involvement/satisfaction, impact of performance standards, impact of Federal special populations requirements, and coordination of Perkins with Adult Education Act, Family Support Act, JTPA, National Apprenticeship Act, Rehabilitation Act of 1973, and Wagner-Peyser.

The House recedes.

208. *National Assessment—Submission to Congress.* The House bill amends Section 403 by deleting subsection (b) which permitted the Secretary to analyze State plans and make suggestions for improvements and rewriting subsection (c) to provide that the assessment by the independent group will not be subject to any review before its submission to Congress.

The Senate amendment provides that the assessment will not be subject to any review outside of OERI. The President, the Secretary and the independent advisory panel may submit additional recommendations to Congress. In addition, the independent advisory panel may submit to Congress an independent analysis of the findings and recommendations of the assessment.

The House recedes.

209. *National Assessment—Consultation.* The Senate amendment, but not the House bill, requires the Secretary to consult with the appropriate committees of Congress in the design and implementation of the assessment.

The House recedes.

210. *National Assessment—Reporting Dates.* The Senate amendment, but not the House bill, requires the interim report required under Section 403 to be submitted no later than January 1, 1994, and a final report is to be submitted no later than July 1, 1994.

The House recedes.

211. *National Assessment—Funding.* The House bill retains the provision for current law that no more than 20% of the funds available for national research may be used for this assessment.

The Senate amendment authorizes $3 million a year for FY 1991 and 1992 for this purpose.

The Senate recedes with an amendment permitting the use of funds reserved for Title IV, Part A, research programs.

212. *Research Center(s).* The House bill amends Section 404 with several technical amendments dealing with the National Center for Research and revises subparagraph (c) on successful methods.

The Senate amendment amends Section 404 to have OERI conduct a competition to establish three or more national centers after the current contract for the center expires (December 31, 1992). Applications shall be submitted to the Secretary with such information as he deems necessary.

The Senate recedes with an amendment authorizing applied research and development and dissemination and training activities, reserving 90% of the amounts reserved under Part A for these purposes of which at least two-thirds must be for research and development, and authorizing a separate line item for additional duties. A competition would be held for both activities and any applicant demonstrating a capability to carry out both activities would be given a preference. Up to 10% would be available for field initiated work, and the current award would be honored. The managers urge the Secretary, when deciding where to assign responsibility within the Department for the grant or grants to consider the need to coordinate with other labs and centers and the need to implement most effectively the changes in the Act.

The advanced technology referred to in the training and dissemination section may include such things as audio-video cassettes, electronic networking, satellite-assisted programming, computer-based conferencing, and interactive video. The managers expect that the training and leadership development will include an emphasis on training minority and women teachers and on programs and activities that aid in the development of minorities and women for leadership roles in vocational education. The managers expect that the applied research and development activities will also include an emphasis on the recruitment, education, and enhancement of minority and women vocational teachers and professionals and will include activities that aid in the development of minorities and women for leadership roles in vocational education.

213. *National Center—Responsibilities.* The Senate amendment, but not the House bill, requires the establishment of:

(a) one national center for Native American education;

The Senate recedes with the same amendment as in #212.

(b) one national center for applied research/technical assistance/training programs serving youth and

The House recedes with the same amendment as in #212.

(c) One national center for applied research/direct technical assistance & outreach/personnel enhancement/training.

The Senate amendment outlines specific criteria for the national centers described in subsections (a)(1)(C) and (a)(1)(A).

The House recedes with the same amendment as in #212.

214. *Research Center(s)—Duration.* The Senate amendment, but not the House bill, provides that each National Center will operate for a period of 5 years. Grants will be awarded annually and reviewed after 3 years. The Secretary is required to honor the current grant award to Berkeley, California.

The House recedes.

215. *Research Center(s)—Reserve.* The Senate amendment, but not the House bill, provides that each National Center may reserve up to 10% of its grant for addressing unforeseen field-initiated projects.

The House recedes.

216. *Research Center(s)—Directors.* The Senate amendment, but not the House bill, provides that each National Center shall appoint a Center Director.

The Senate recedes.

217. *Research Center(s)—General Responsibilities.* The Senate amendment, but not the House bill, provides that the National Center shall conduct research and development projects and programs with other public agencies and will disseminate information on their results as well as other available research. Applied research by the Centers shall include: economic changes, academic/vocational integration, effective practices for special populations, delivery methods, articulation between school and work, teacher and professional enhancement.

The House recedes with an amendment to add activities to the dissemination section.

218. *Research Center(s)—Definition.* The Senate amendment, but not the House bill, defines the term "Native American" for section 404.

The Senate recedes.

219. *Formula Study.* The Senate amendment, but not the House bill, adds a new Section 405 to Title IV to require the Secretary to conduct a study on the formula for distribution of funds to the States under the Perkins Act. The study is to be completed by January 1, 1994.

The House recedes with an amendment requiring that the National Assessment conduct the study.

220. *Professional Development.* The House bill, but not the Senate amendment, authorizes a new Section 406. Subpart 2—Professional Development—under Title IV creating a separate national program for leadership development awards, retraining of teachers, and awards for gifted and talented students. The House bill authorizes the Secretary to provide opportunities for professional staff working with vocational programs to participate in advanced study of vocational education; for teachers trained in other fields to become vocational education teachers; individuals working in the field to become teachers; and vocational educators to update their skills. The Secretary is also authorized to offer gifted and talented students internships with Federal or State agencies.

The Senate amendment authorizes the Secretary to award grants to institutions of higher education or SEAs for professional development. Grants include: leadership development stipends; teacher education fellowships for teachers wanting to update their skills; professionals in vo-tech fields who want to be teachers; teachers working in other areas who want to certify as vocational education teachers; and the offering of internships for gifted and talented voc ed students.

The Senate recedes with an amendment including the program in the Secretary's demonstration grants.

221. *Professional Development/Leadership Development Awards.* The House bill, but not the Senate amendment, under Section 406(b) authorizes the Secretary to make leadership development awards from recommendations by respective State directors. Individuals selected for awards must have had 3 or more years teaching or researching vocational education, be currently employed and have a B.A., be recommended by their employers as having leadership potential and have a commitment to return to the voc ed field. Awards shall be for no more than 3 years, and a stipend of $9,000/individual/academic year of $3,000/individual/summer session be provided for tuition, nonrefundable fees and other expenses including *dependents.*

The Senate amendment permits stipends, but does not specify an amount.

The Senate recedes with same amendment as in #220.

222. *Professional Development/Fellowships.* The House bill, but not the Senate amendment, authorizes under Section 406(c) the Secretary to award fellowships from recommendations of State directors to individuals currently employed and in need of upgrading their skills, presently certified (or within the last 10 years) as a teacher, and have past or current skills in voc ed or to individuals employed in the voc ed field who may not hold a B.A. degree and have been accepted by an institution of higher education in a program to be a voc ed teacher. Fellowships shall not be more than 2 years, and stipends under this program include expenses for tuition, fees, and other expenses for individuals and their dependents. Fellowships will be apportioned equally among the states.

The Senate recedes with same amendment as in #220.

223. *Professional Development/Fellowships—Publication.* The House bill under Section 406(c) authorizing fellowships requires the Secretary to publish a listing of the areas which currently (or in the future will) need additional personnel and of the areas of teaching in which technical upgrading may be especially critical.

The Senate amendment authorizes the Secretary to publish a listing of the areas of vocational education which are in need of additional personnel and the areas in which technological upgrading may be especially critical. (Section 417(c))

The Senate recedes with same amendment as in #220.

224. *Professional Development/Internships.* The House bill offers under Section 406(d) internships for attracting gifted and talented vocational education students for nine months. Students must be recommended by a vocational education teacher at their school and must be provided professional supervision while doing their internships.

The Senate amendment under Section 417(c) offers internships for gifted and talented students.

The Senate recedes with same amendment as in #220.

225. *Professional Development—Authorization of Funds.* The House bill authorizes at least $5 million for the above section.

The Senate amendment authorizes funds to come from Title IV, Part B general demonstration program funding.

The House recedes.

226. *Demonstration Programs—Employment-Based Learning.* (a) The House bill amends Part B—Demonstration Programs, Subpart 1—Cooperative Demonstration Programs—by expanding the Secretary's authority to support: (a) employment-based learning programs, (b) model programs in consumer homemaking (including child growth and development centers), (c) grants to CBO partnerships to help prepare at-risk youth for health careers, and (d) agriculture action centers.

The Senate recedes.

(b) The House bill also requires the Secretary to establish one or more demonstration centers for retraining dislocated workers.

The Senate recedes with an amendment making this activity a priority in the Secretary's use of demonstration funds.

(c) The Senate amendment revises Section 411 to authorize demonstration programs under Part B of Title IV. Funds are reserved for telecommunications materials development and for lighthouse programs.

The House recedes with an amendment making telecommunications a priority in the Secretary's use of demonstration funds and providing a separate authorization for lighthouse schools.

227. *Demonstration Programs—Materials Development in Telecommunications/Set Aside.* The Senate bill, but not the House amendment, reserves 5% of national demonstration program funds for materials development in telecommunications.

The Senate recedes.

228. *Demonstration Programs—Lighthouse Schools/Set Aside.* The Senate amendment, but not the House bill, reserves 20% of national demonstration program funds for lighthouse schools.

The Senate recedes.

229. *Demonstration Programs—Vocational/Academic Integration.* The Senate amendment, but not the House bill, creates a new Section 412: Demonstration Projects for the integration of Vocational and Academic Learning, which authorizes the Secretary to make grants to institutions and consortia to carry out programs using different models of curricula which integrate vocational and academic learning, providing inservice training and dissemination of information through the National Diffusion Network. In awarding the grant, the Secretary must ensure: an equitable geographic distribution of funds, that programs offer new approaches and serve special populations, and that adequate evaluation measures are employed.

The House recedes.

230. *Demonstration Programs—Dislocated Workers.* The House bill, but not the Senate amendment, requires the Secretary to establish one or more demonstration centers for the retraining of dislocated workers.

The Senate recedes with an amendment making a priority in the Secretary's use of demonstration funds.

231. *Demonstration Programs—Skilled Trades Regional Training.* The House bill retains the current Section 417 Model Centers for Vocational Education for Older Americans with only minor technical amendments.

The Senate amendment repeals the current Section 417 and replaces it with Section 414: Model Programs of Regional training for Skilled Trades, which authorizes the Secretary to make grants to regional model centers which provide training and related programs for skilled tradesmen on a regional and equitable basis.

The House recedes. The managers intend that firefighting be considered a skilled trade and that the masonry trades be given a priority in awarding grants.

232. *Demonstration Programs—Blue Ribbon Vocational Education.* Both the House bill and the Senate amendment authorize the Secretary to carry out Blue Ribbon Programs. The House bill authorizes a new Section 424 in Title IV, Part C: Technical and Occupational Data Systems. The Senate amendment repeals the current Section 415 under demonstration programs and replaces it with Blue Ribbon Vocational Education Programs.

The House recedes.

233. (a) The language of the two provisions is nearly identical with the following exceptions: "applied technology" (House) v. "vocational education" (Senate)

The House recedes.

(b) "several categories" (House) v. "a category or several categories" (Senate)

The House recedes.

(c) include participation of special populations (House) v. "emphasize the expansion or strengthening" of the participation (Senate)

The House recedes.

(d) include the following (House) v. "give special consideration to any of" the following (Senate)

The House recedes.

(e) addition of "area vocational school, intermediate educational agency, Bureau of Indian Affairs" to eligible entities (Senate)

The House recedes.

234. *Demonstration Programs—Materials Development in Telecommunications.* The Senate amendment, but not the House bill, authorizes a new Section 416 under Title IV, Part B Demonstration Programs to require the Secretary to make grants from the set-aside to non-profit educational telecommunications entities to pay 50% of the costs to develop materials and services for use in local programs. Priority will be given to programs serving area vocational schools, teachers in need of retraining, out of school adults in need of basic skills/GED, colleges in tech-programs, and workers in need of basic or upgraded skills.

The House recedes with an amendment making it a priority in the Secretary's use of demonstration funds.

235. *Demonstration Programs—Lighthouse School.* The Senate amendment, but not the House bill, authorizes a new Section 419 for Vocational Education Lighthouse Schools which requires the

Secretary to make grants to local schools from the 20% setaside to establish and operate vocational education lighthouse schools. Such schools will serve as model programs, provide information and assistance to other grant recipients, develop comprehensive linkages with other schools, and develop model approaches for meeting the educational needs of special populations.

The Senate recedes with an amendment providing a separate authorization for lighthouse schools.

236. *Demonstration Programs—Career and Guidance Counseling.* The House bill provides for a separate authorization for career and guidance counseling programs.

The Senate amendment authorizes a new Section 420 under national programs for Career Guidance and Counseling Program. The Secretary is authorized to make grants to State boards to improve, expand and extend career guidance and counseling programs. Programs shall be organized and administered by certified counselors and designated to help individuals acquire career skills, make transition from school to work, maintain marketability of skills—including new, high-tech fields, develop mid-career job skills, and obtain & use information on financial aid for voc ed training.

The Senate recedes.

237. *Demonstration Programs—Dropout Prevention.* The Senate amendment, but not the House bill, authorizes the new Section 420A to permit the Secretary to make grants to partnerships for the development and implementation of vocational programs designed to prevent students from dropping out of school.

The House recedes.

238. *Business-Labor-Education Committees for Competency Standards.* The House bill, but not the Senate amendment, adds a new Subpart 5—Development of Business and Education Standards, of which Section 419 requires the Secretary to establish a program to assist industries to develop national standards for competencies in industries and trade. Committees will be established to formulate such standards, and each grant recipient must submit a grant application and provide a 50/50 funding match for the committee. Minimum elements of standards are included in the bill.

The Senate recedes with amendments providing for consultation with the Secretary of Labor, adding this program to the list of demonstration programs, and making the activity permissive, not mandatory.

239. *Standards.* The House bill, but not the Senate amendment, requires the Secretary to establish a program to assist industries to develop national standards for competitiveness in industries and trade.

The Senate recedes.

240. *Data Systems.* Both the House bill and the Senate amendment amend Section 421, requiring the Secretary to establish a vocational education data system no more than 6 months after implementation of this Act. The language is similar with a few technical disagreements and the following exceptions:

(a) Establishment. The House bill calls for the establishment of a data system.

The Senate amendment calls for the implementation of developing such a system.

The Senate recedes.

(b) *Tribal Agencies.* The Senate amendment, but not the House bill, includes tribal agencies among the agencies for which data is to be provided.

The House recedes.

(c) *Elements/Facilities.* The House bill requires the collection of information on women and Indians

The Senate recedes.

241. The House bill requires the collection of information on facilities. The Senate amendment provides for the collection of information on students and programs, as well as to the extent practicable on facilities.

The House recedes on including students.

The Senate recedes on deleting "to the extent practicable" on facilities.

242. *National Center & Office.* The House bill requires the Secretary to update the data system *in consultation with* the National Center for Research in Vocational Education-Applied Technology and the Office of Vocational Education.

The Senate amendment requires update of the system *through* the National Center and Office.

The Senate recedes.

243. The House bill, but not the Senate amendment, requires information on women and Indians.

The Senate recedes.

244. The House bill requires the Secretary to update the data system in consultation with the National Center for Education Statistics and with the Office of Vocational Education, whereas the Senate amendment requires maintenance of the system through the National Center and Office.

The Senate recedes.

245. *Local Applications.* The House bill requires that the system use data definitions in common for performance standards, local applications, and evaluations required by this Act.

The Senate amendment refers to common data definitions for performance evaluation and "other" evaluations.

The Senate recedes.

246. *Advisory Task Force.* The House bill requires the Secretary to "establish" an Applied Technical Education Advisory Task Force.

The Senate amendment requires the Secretary to "convene" such a Task Force.

The Senate recedes.

247. *Task Force Membership.* The Senate amendment, but not the House bill, requires that representatives of Tribal agencies, adult training programs, apprenticeships, business, and industry be represented on the task force.

The House recedes.

248. The House bill uses the phrase "nationally scientific subsample" while the Senate bill uses the phrase "nationally representative subsample"

The House recedes.

249. *Data Systems—Authorization.* The House bill reserves a minimum of $1 million from the 2% of total funds authorized for National programs for the data system.

The Senate amendment reserves 3.5% of the accounts reserved for national programs.

The House recedes with an amendment reserving 8% of the 40% reserved for Part C which is equivalent to 3.2% of the amount reserved for national programs for this activity.

250. *National Occupational Information Coordinating Committee (NOICC).* Both bills provide nearly identical provisions. There are a few technical differences:

"(1) by striking 'Sec. 422.';" (House)

"(ii) by striking 'and' at the end thereof;" (Senate)

"and Tribal agencies" (Senate)

The House recedes.

251. *NOICC—Voluntary Data Submission.* Both bills authorize a study of wage data by NOICC.

The Senate amendment, but not the House bill, requires the Submission of this data to be voluntary and may involve reimbursement to State employment agencies and compliance with safeguards.

The House recedes with an amendment to permit States to include individual elements in the longitudinal study provided the respective State assumes its share of the cost for its additional elements.

252. *NOICC—FUNDING.* The House bill reserves not less than $6 million for the functions of the NOICC and SOICCs.

The Senate amendment reserves 22% of the national funds under the Perkins Act.

The House recedes with an amendment which holds the National Occupational Information Coordinating Committee (NOICC) harmless at the FY 1990 level; after the 1990 hold-harmless, at least 10% of the NOICC funds will be available for the demonstration longitudinal occupational data study.

The Managers intend that funding for this longitudinal occupational information demonstration program should not adversely affect the normal program activities of the State Occupational Information Coordinating Committees or the operation of the national office and related national activities by the National Occupational Information Coordinating Committee.

253. *Information Base.* The House bill, but not the Senate amendment, requires that specific information on secondary school students with handicaps be included in the data system. The type of information to be collected is specified. The House bill also requires that GAO conduct a study of the effects of these amendments on special populations and, to the extent practicable, foster children issues to be considered in the GAO study are specified. The report must be submitted no later than July 1, 1995. Further, the House bill requires the Office of Technology Assessment to conduct an assessment of the technical knowledge levels of students finishing secondary school. The OTA report must be submitted no later than September 30, 1994. Lastly, the House bill requires the Secretary to secure the required information at reasonable cost. States are re-

quired to cooperate with the Secretary in implementing information systems.

The Senate recedes.

254. *National Council on Vocational Education.* The House bill repeals the National Council on Vocational Education on the date of enactment.

The Senate amendment repeals the National Council on October 1, 1992.

The House recedes with an amendment limiting the council to one year until October 1, 1991.

255. *National Council—Appointment of Members.* The Senate amendment, but not the House bill, provides that Council members will be appointed by the Council itself rather than by the President (as is the case in current law), as of September 30, 1991.

The Senate recedes.

256. *National Programs—Distribution of Assistance/Demonstrations.* The House bill reduces the funds reserved for national programs for demonstration projects from 35% to 20%.

The Senate amendment reduces the funds reserved for national programs for demonstration projects from 35% to 33.5%.

The House recedes with an amendment reserving 30%.

257. *National Programs.* The House bill and the Senate amendment change the distribution of funds reserved for national programs in the following manner:

(a) the House bill, but not the Senate amendment, reduces the amount for research from 35% to 30%.

The Senate recedes.

(b) the House bill reduces demonstration projects from 35% to 20%, while the Senate amendment reduces the amount to 33.5%.

The House recedes with an amendment reserving 30%.

(c) The House bill increases data systems from 30% to 50% while the Senate amendment increases the amount to 31.5%; of this amount, the Senate amendment reserves:

1. 3.5% for the new data system;
2. 1.75% for the study of the within-state allocation formula; and
3. 3.5% for the National Network for Curriculum Coordination.

The Senate recedes with an amendment reserving 40%; of the amounts reserved, at least 8% will be made available for data systems and at least 10% for the National Network for Curriculum Coordination. The managers intend that the Department may choose to require different data collections for secondary, postsecondary, and adult programs due to their different characteristics.

258. *National Programs—Distribution of Assistance/Data Systems.* The House bill increases the funds reserved for national programs for data systems from 30% to 50%.

The Senate amendment increases the funds reserved for national programs for data systems from 30% to 31.5%.

The Senate recedes with an amendment reserving 40%.

259. *National Programs—Distribution of Assistance/Data Systems Implementation.* The Senate amendment, but not the House bill, requires that at least 3.5% of the 31.5% for data systems be spent in implementing the new system.

The House recedes with an amendment reserving 8% of the 40% for data systems.

260. *National Programs—Distribution of Assistance/State Allocation Formula Study.* The Senate amendment, but not the House bill, requires that at least 1.75% of the 31.5% for data systems be spent on the study of the within State allocation formula.

260. The Senate recedes.

261. *National Network for Curriculum Coordination.* The Senate amendment, but not the House bill, requires the establishment of a National Network for Curriculum Coordination consisting of six regional curriculum centers.

The House recedes.

262. *Matching Requirements.* Both the House bill and the Senate amendment eliminate the overall matching requirement from the Perkins Act, but different provisions are applied to administrative funding.

The House recedes.

263. *Matching Requirements/Administrative Funding.* The House bill requires each State to maintain its previous year's level of funding for administration.

The Senate amendment requires a State match for any Perkins fund used administration.

Combine House and Senate provisions.

264. *Maintenance of Effort.* The House bill, but not the Senate amendment, changes the maintenance of effort provision from 100% maintenance to not less than 95%.

The House recedes with an amendment regarding a waiver in unusual economic circumstances to no less than 95% for one year only and returning in second year to previous level.

265. *Federal Regulations—Regional Meetings.* The House bill requires the Secretary to convene regional meetings before issuing proposed regulations.

The Senate amendment requires the Secretary to convene regional meetings in the development of proposed regulations.

The House recedes.

266. *Federal Regulations—Regional Meetings/Participants.* The Senate amendment, but not the House bill, requires the inclusion of Tribal administrators and members of special populations in regional meetings to assist with the development of proposed regulations.

The House recedes.

267. *Federal Regulations—Regional Meetings/Issues.* The Senate amendment, but not the House bill, requires that the regional meetings provide for comprehensive discussion of at least for key implementation issues, selected by the Secretary. This information will be taken into account in the development of regulations and will be summarized in the *Federal Register* when proposed regulations are published.

The House recedes.

268. *Federal Regulation—Regional Meetings/Post-Regulation.* The Senate amendment, but not the House bill, requires that the Secretary convene regional meetings after final regulations are issued for the purpose of sharing information about their implementation. Individuals and groups involved in vocational education must be included in these meetings.

The Senate recedes.

269. *Federal Regulations—Negotiated Rulemaking.* The House bill, but not the Senate amendment, requires that—after holding regional meetings and before publishing proposed regulations—the Secretary must submit draft regulations on a limited number of issues to a negotiated rulemaking process. Participants in the process will be selected by the Secretary from among regional meeting participants. The process is to be completed in a timely fashion.

The Senate recedes with an amendment requiring that at least two key issues be identified, that 10 representatives—one from each of the Department's 10 geographical regions in the country—be invited to the negotiations, and permitting the Secretary to use up to $300,000 of national program funds for the negotiated rulemaking process.

270. *Federal Regulations—Waiver.* The House bill, but not the Senate amendment, permits regional meeting and negotiated rulemaking requirements to be waived in cases where a regulation must be issued quickly to assist State and local program operation. The Secretary must immediately convene regional meetings to review the regulation before it is finalized.

The Senate recedes.

271. *GAO Investigations.* The House bill, but not the Senate amendment, requires GAO to investigate any delay by the Secretary in submitting any report, research finding, or regulation by the time required by the Act. A report on findings—including identification of the ED or OMB office responsible for the delay—is to be submitted to the appropriate committees of Congress.

The Senate recedes with an amendment making the requirement contingent upon the request of any member of Congress.

272. *Availability of Reports.* The House bill, but not the Senate amendment, requires the Secretary to make available to the chairmen and ranking minority members of the House and Senate committees—upon request—any report or research required by the Act within ten days of the request.

The House recedes.

273. *Sex Equity/Homemakers Program.* The House bill, but not the Senate amendment, requires the Secretary biennially to determine if funds are being properly administered by the States in the sex equity and homemakers program and to take any corrective action required.

The House recedes.

274. *Civil Rights.* The House bill states that nothing in the Act shall be construed as being inconsistent with appropriate Federal civil rights laws.

The Senate amendment requires each State to certify in its application that the State and local school districts will not discriminate (on the basis of race, religion, color, national origin, sex, or handicap) against employees, students enrolling in or taking courses, or students involved in extra curricular activities. The Assistant Secretary for Civil Rights must determine whether these assurances have been met.

The Senate recedes.

275. *Name.* The House bill, but not the Senate amendment, makes clear that the new name of applied technology education does not have to apply to any vocational student organization; and

administrator, counselor, or teacher paid from non-Federal funds; or any school.

The Senate recedes.

276. *Student Aid.* The House bill, but not the Senate amendment, bars the consideration of any student aid (for attendance costs) received under the Perkins Act from being considered in determining eligibility for assistance under other Federal programs. Attendance costs include tuition & fees (including costs for rental or purchase of equipment, materials, or supplies required of all students) and an allowance for books, supplies, transportation, dependent care, and miscellaneous personal expenses for at least half-time students.

The Senate recedes.

277. *State Administration—Audits.* The House bill, but not the Senate amendment, requires each State to obtain financial and compliance audits of Perkins Act funds at least every 2 years and to make these audits public.

The House recedes.

278. *State Administration—Regulations.* The House bill, but not the Senate amendment, requires each State to establish a State Committee of Practitioners to review any proposed or final State regulation issued pursuant to the Perkins Act. Members of the Committee shall be selected from nominees made by state organizations and institutions and shall include: LEA representatives (which shall be a majority of members), school administrators, teachers, parents, local board of education members, and representatives of institutions of higher education. In certain cases, this requirement may be waived to permit issuance of a proposed regulation; however, a meeting of the committee must be convened immediately to review the regulation before it is finalized.

The Senate recedes with an amendment adding "students".

279. *State Administration—State-Imposed Requirements.* The House bill, but not the Senate amendment, requires that any State rule or policy related to the program be identified as a State-imposed requirement.

The Senate recedes.

280. *Joint Funding.* The House bill but not the Senate amendment, authorizes use of Perkins funds as additional funds in four other Federal programs (Audit Education, JTPA, Rehabilitation Act of 1973, Wagner/Peyser) if: such program otherwise meets the requirements of the Perkins Act such funds are not required to be provided from non-Federal sources, and funds are used to supplement and not supplant funds from non-federal sources. Regulations related to this section are to be developed by the Secretary in consultation with the Secretary of Labor and the Secretary of HHS.

The Senate recedes with an amendment permitting joint funding from the Perkins, JTPA, and Wagner-Peyser Acts if the program meets the requirements of the applicable acts and if the same clients are served.

281. *Prohibition.* The House bill, but not the Senate amendment, prohibits Perkins funds from being used to induce an employer to relocate from one State to another if such relocation would result in a job loss.

The Senate recedes.

282. *State Administrative Costs/Maintenance of Effort.* The House bill, not the Senate amendment, requires that States provide non/Federal funds for program administration in an amount no less that provided in the previous fiscal year.

The Senate recedes.

283. *Federal Monitoring.* The Senate amendment, but not the House bill, includes a section specifying how the Secretary should monitor State and local compliance with the Act. Monitoring activities are to be developed in consultation with parents, students, and advocacy organizations. Specific items to be monitored are cited in the section.

The House recedes.

284. *Definitions—Apprenticeship Training.* The Senate amendment, but not the House bill, strikes "program" from the term "apprenticeship training program.

The Senate recedes.

285. *Definitions—Applied Technology Education.* The House bill, but not the Senate amendment, revises the definition of vocational education to re-label it "applied technology education"and defines the term to require the offering of a sequence of courses, to eliminate reference to particular occupations, to eliminate reference to additional preparation for a career in particular occupations, to eliminate references to vocational student organizations, to eliminate specific reference to payment for instruction and acquisition of equipment, and to include competency-based applied learning in the definition.

The Senate recedes with an amendment retaining the term "vocational" and indicating the term includes applied technology education.

286. *Definitions—Area Schools.* The Senate amendment, but not the House bill, revises the definition of area school to eliminate specific reference to technical institutions or schools for individuals who have completed or left high school, and divisions of community colleges for students having completed or left high school, and to include schools offering both secondary and postsecondary instruction if the secondary instruction involves at least five different occupational fields.

The House bill, but not the Senate amendment, guarantees that any program fitting the definition of area school before the enactment of these amendments will continue to be so considered.

The Senate recedes.

287. *Definitions—Economically Depressed Areas.* The Senate amendment, but not the House bill, eliminates the definition of economically depressed area.

The House recedes.

288. *Definitions—Handicapped/Disabled.* The House bill renames "handicapped individuals" as "individuals with handicaps."

The Senate amendment renames them "individuals with disabilities."

The Senate recedes with an amendment conforming the definition to the definition of an "individual with any disability" included in the Americans with Disabilities Act.

289. *Definitions—Disadvantaged.* The House bill, but not the Senate amendment, limits the term disadvantaged to only those

economically disadvantaged and also assure that any individual determined to be economically disadvantaged under JTPA would be so considered under the Perkins Act.

The House recedes.

290. *Definitions—Intermediate Educational Agency.* The Senate amendment, but not the House bill, includes a definition of an intermediate educational agency.

The House recedes.

291. *Definitions—All Aspects of the Industry/General Occupational Skills.* The Senate amendment defines the term "all aspects of the industry" as strong experience in and understanding of all aspects of the industry, including planning, management, finances, technical and production skills, underlying principles of technology, and health and safety. (See Page 191).

The House bill defines the term "general occupational skills" as experience in and understanding of all aspects of the industry, including planning, management, finances, technical and production skills, underlying principles of technical, *labor and community issues,* and health, safety, and *environmental issues.*

The House recedes on "all aspects of the industry".

The Senate recedes on "general occupational skills".

292. *Definitions—Local Eligible Recipient.* The Senate amendment, but not the House bill, redefines "eligible recipient" to mean an LEA, an area school, an intermediate agency, or a State correctional education agency. The term "eligible recipient" under current law is defined as "an LEA or a postsecondary educational institution."

The Senate recedes with an amendment to include a LEA area vocational education school, intermediate education agency, State corrections agency, a postsecondary educational institution, or an eligible institution (as defined in Section 232(d)(1)).

293. *Definitions—Supplementary Services.* The Senate amendment, but not the House bill, defines supplementary services.

The House bill, but not the Senate amendment, defines general occupational skills.

The House recedes on "supplementary services".

The Senate recedes on "general occupational skills".

294. *Definitions—Displaced Homemaker.* The Senate amendment, but not the House bill, specifically includes criminal offenders as displaced homemakers if they otherwise qualify.

The House recedes.

295. *Definitions—Preparatory/Pre-Vocation.* The House bill defines "preparatory services."

The Senate bill offers the same definition for "prevocation services."

The Senate recedes.

296. *Definitions—Homemaker.* The House bill, but not the Senate amendment, adds to the definition of homemaker eligibility, an adult who is pregnant.

The Senate recedes.

297. *Definitions—Special Populations.* The House bill, but not the Senate amendment, defines special populations. The definition includes individuals with handicaps, disadvantaged individuals, indi-

viduals of limited English proficiency, and foster children on whose behalf State or local governmental payments are made.

The Senate recedes with amendments to include as special populations economically and educationally disadvantaged individuals (including foster children), individuals with handicaps, individuals who participate in programs designed to eliminate sex bias, and individuals in correctional institutions. The managers do not intend that these changes result in any double counting of foster children.

298. *Definitions—Sequential Course of Study.* The Senate amendment, but not the House bill, includes a new definition for "sequential course of study."

The House recedes.

299. *Definitions—Technology Education.* The Senate amendment, but not the House bill, includes a new definition for "technology education."

The House recedes.

300. *Definitions—Specific Job Training.* The Senate amendment, but not the House bill, includes a new definition for "specific job training."

The House recedes.

301. *Definitions—State Correctional Education Agency.* The Senate amendment, but not the House bill, includes a new definition for "State correctional education agency."

The House recedes.

302. *Correctional Education.* The Senate amendment, but not the House bill, creates an Office of Correctional Education in the Department in order to coordinate all correctional education programs, and to provide technical support.

The House recedes with an amendment requiring data collections on a sample basis.

303. *Intergovernmental Advisory Council.* The Senate amendment, but not the House bill, repeals the requirement for an intergovernmental advisory council on education within the Department of Education.

The House recedes.

304 *Advisory Board on International Education.* The Senate amendment, but not the House bill, repeals the requirement for an advisory board on international education.

The House recedes.

305. *Effective Date—In General.* The House bill provides for immediate implementation of the amendments, but permits States to abide by the old or new law until July 1, 1990. The Senate amendment provides in general for July 1, 1991, as the effective date.

The House recedes.

306. *Effective Date—Indian Programs.* The Senate amendment, but not the House bill, provide that the amendments to the Indian and Hawaiian programs take effect on October 1, 1990, except for the $\frac{1}{12}$ of the 2% set-aside for secondary Indian and Hawaiian schools (which take effect July 1, 1991).

The Senate recedes.

307. The House bill provides for immediate implementation of the amendments but permits States to abide by the old or new law until July 1, 1990. The House bill also requires all orders, regula-

tions, grants, and contracts under the Perkins Act to remain in effect until modified or revoked.

The House recedes.

308. *Education in Federal Republic of Germany.* The Senate amendment, but not the House bill, requires GAO to conduct a study of education in West Germany and of the desirability of establishing a nationwide job apprenticeship program in the United States. Items to be assessed and considered are specified in the amendment. The report is due no later than one year after enactment.

The House recedes with amendments.

309. *Tribally Controlled Institutions.* The House bill, but not the Senate amendment, authorizes a new program within the Department of Interior supporting tribally controlled postsecondary institutes. The provision stipulates eligibility criteria, the process for review of applications, and the method for determining the amount of each grant. There is also a provision relating to a study for needed facilities. Currently functioning programs would have priority funding. Authorization is for $4 million in FY 1990 and such sums for the five succeeding fiscal years, and could be forward funded.

The Senate recedes with an amendment requiring the Department of Education to administer the program, moving the program to the Perkins Act, and changing the authorization date to FY 1991. The managers intend that these funds be considered basic support monies for these schools, to defray the basic operating expenses of the program. Receipt of funds under this program should not be interpreted, either by the Department of Education or any other Federal entity, in any way so as to interfere with receipt of, or application for, funds from any Federal, State or other source. Also, receipt of funds under this program should not lead to a decrease in the receipt of other funds, either by the school, its students, or the tribe sanctioning its operation.

310. *Tribal Economic Development.* The House bill, but not the Senate amendment, amends the Tribally Controlled Community Colleges Act to add a new activity related to economic development under the Department of Interior. The new authority would fund joint Tribal/Tribally Controlled Community College projects to identify resources of tribes, develop plans to develop those resources, and provide the training, technical assistance and support necessary to put the plans into effect. The authorization is $2 million for FY 1990 and such sums for the five succeeding fiscal years.

The House bill, but not the Senate amendment, also amends the Tribally Controlled Community Colleges Act by requiring the Secretary of the Interior to enter into a contract with the tribally controlled community colleges to assess their facility needs, construct a priority listing for facilities and periodically update such listing.

311. (a) The House bill, but not the Senate amendment, amends the Tribally Controlled Community Colleges Act to add a new activity related to economic development under the Department of Interior. The new authority would fund joint Tribal/Tribally Controlled Community College projects to identify economic resources of tribes, develop plans to develop those resources, and provide the training, technical assistance and support necessary to put the

plans into effect. The authority is $2 million for FY 1990, and such sums for the five succeeding fiscal years.

The Senate recedes.

(b) The House bill, but not the Senate amendment, also amends the Tribally Controlled Community Colleges Act by requiring the Secretary of the Interior to enter into a contract with the tribally controlled community colleges to assess their facility needs, construct a priority listing for facilities and periodically update such listing.

The Senate recedes.

312. *Secondary Students in BIA Schools.* The House bill, but not the Senate amendment, modifies the Indian Student Equalization Formula, which funds schools funded by the BIA, by adding a weighted factor for secondary vocational education, subject to availability of funds.

The House recedes.

313. *Indian and Native Hawaiian Programs.* The House bill, but not the Senate amendment, prohibits the Secretary of the Interior from placing any restrictions on programs receiving Perkins funds that are not placed on States receiving such funds. The Secretary of the Interior is also charged with encouraging tribal economic development with funds reserved for Indian programs under the Perkins Act.

The House recedes.

314. *School Prayer.* The House bill, but not the Senate amendment, prohibits any funds in this Act, to be made available to any State or school district having a policy denying or effectively preventing participation in prayer in public schools by individuals on a voluntary basis.

The House recedes.

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